

OFFICE OF THE SHERIFF
Contra Costa County

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DAVID O. LIVINGSTON
Sheriff-Coroner

Michael V. Casten
Undersheriff

Date: March 13, 2017
To: DAVID O. LIVINGSTON, Sheriff
Via: Michael V. Casten, Undersheriff
From: Brian Vanderlind, Lieutenant, Internal Affairs *BV*
Subject: Administrative Inquiry - I.A. # 2016-018

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SUMMARY

The following is an account of this officer involved shooting based upon preliminary information as provided by the involved parties.

On March 17, 2016, at approximately 2206 hours, Delta Station Deputies responded to 2700 Hoffman Ln., in Byron in an attempt to serve a felony arrest warrant. The deputies were looking for Michael Mallett, (DOB [REDACTED]) who had a warrant for his arrest for multiple counts of PC 288(a) with a \$1,150,000.00 bail.

At 2227 hours deputies approached the residence and attempted to locate Mr. Mallett. Upon the deputies' arrival, Mr. Mallett barricaded himself in a bedroom, and had reportedly armed himself with a handgun. Four individuals from inside the home were evacuated, as well as two occupants of a guest home on the property. During the evacuation, Mallett's sister-in-law advised patrol deputies that Mallett insinuated he would hurt himself if the police entered the residence.

Additional units responded to the scene and a perimeter was established. Patrol units were able to gain visual of Mr. Mallett inside the home and saw him holding a handgun. Members of the Hostage Negotiations Team (HNT) responded, and at first were unsuccessful in their attempt to establish contact with Mallett. At approximately 0300 hours, a call out of the Sheriff's Special Weapons and Tactics Team (SWAT) was made and an Incident Command Post was set up at nearby Excelsior Middle School.

HNT eventually established contact with Mr. Mallett and negotiations lasted for several hours. Mr. Mallett refused to drop the gun and made statements he would not go back to jail, and would not put down the gun if tactical personnel entered the residence. Ultimately, negotiations stalled and members of HNT lost all contact with Mr. Mallett.

SWAT personnel deployed several distraction devices, including tactical gas and the HNT made announcements with the Long Range Acoustic Device (LRAD) in an attempt to get Mr. Mallett to surrender, but with no effect.

At approximately 0938 hours, Mr. Mallett exited the residence through a first floor window, still carrying the gun in his hand. Mr. Mallett raised the gun toward SWAT personnel and they were forced to fire at him, striking Mr. Mallett several times. Tactical units immediately began life saving measures on Mr. Mallett and continued until they were relieved by staff from Fire and AMR. At approximately 1014 hours, Mr. Mallett was pronounced deceased at the scene.

No Office of the Sheriff employees were injured as a result of this incident.

SWAT Commander Lieutenant Beltran invoked the Officer-Involved Fatal Incident Protocol.

SWAT Team Members Sergeant Johnson, Sergeant Welch and Deputy A. Rossi were sequestered at the Field Operations Building.

Decedent's information

Michael Lee Mallett
2700 Hoffman Ln
Byron, CA 94514
[REDACTED]

INVESTIGATION

The following Contra Costa County personnel responded pursuant to the Protocol:

Office of the Sheriff

Captain D. Hofmann
Lieutenant B. Vanderlind
Sergeant M. Brown
Sergeant M. Andaya
Sergeant S. Valkanoff
Sergeant D. Hall
Det. C. Busch
Det. T. Norvell

Det. T. Young
Det. C. Frazier
Det. Holland
Det. D. Sosa
Det. E. Steele

Office of the District Attorney

D.D.A. B. Grove
Senior Inspector J. Morris
Senior Inspector D. Holcolm
Senior Inspector D. Medina
Senior Inspector Ross
Inspector Trujillo
Inspector Young

Inspector McLaughlin
Inspector Alexander
Inspector Menchaca
Inspector Wedemeyer
Inspector Van Kohl

Employee Representation

Jonathan Murphy from the Law Offices of Rains, Lucia & Stern
Tim Allen and Dave Cushman from Contra Costa County Deputy Sheriff's Association

Investigative Assignments

Sergeant M. Brown requested detectives respond to the scene at 2700 Hoffman Lane in Byron for an officer involved protocol. Once all personnel were at the scene a walk-through briefing was conducted. Following the briefing, investigative teams were assigned to conduct the following interviews/tasks:

Detective Busch (Primary) / DA Inspector Morris

- Interview SWAT members that discharged their firearms

Detective Holland / DA Inspector Menchaca

- Interview Mallett's family

Detective Frazier / DA Inspector Laughlin

- Interview Fire/AMR/Animal Control Officer

Detective Young / DA Inspector Trujillo

- Interview HNT personnel

Detective Norvell / DA Inspector Alexander

- Interview HNT personnel

Detective Sergeant Andaya / DA Inspector Ross

- Interview SWAT members who did not discharge their firearm

Detective Sosa / DA Inspector Pamplona

- Interview SWAT members who did not discharge their firearm

Detective Steele / DA Inspector Wedemeyer

- Interview SWAT members who did not discharge their firearm

Detective Valkanoff / DA Inspector Vanderpool

- Interview Pittsburg SWAT officers

Detective Root

-Authored the search warrant for Mallett's residence

Prior to interviews, Sergeant Welch, Sergeant Johnson and Deputy A. Rossi provided blood samples to CCCSO Internal Affairs Sergeant Hall, per CCCSO policy. The samples were later submitted to the CCCSO Lab and all results returned negative.

The investigation revealed no facts in direct conflict with those outlined in the initial background summary. Additional and/or clarifying information obtained during the criminal investigation includes the following:

On the date of the incident Mallett had an active arrest warrant, dated March 17, 2016, warrant number #04-186657-3-001.

The warrant had been obtained due to Mr. Mallett being listed as the suspect in a sexual assault report (DR#16-1736). In the report initially taken by Deputy Singleton on February 2, 2016, Mr. Mallett was arrested by Deputy Singleton for allegedly sexually assaulting his foster daughter. Sexual Assault Detective Valkanoff was assigned the case and later authored a search warrant for Mr. Mallett's residence. Detectives obtained DNA swabs from his residence where the victim had alleged the sexual assault had taken place. The DNA swabs were submitted to the lab.

Deputy District Attorney Bruce Flynn requested further investigation and the results of the DNA swabs prior to filing the case. Mr. Mallett was released from custody after being held for 72 hours.

On March 16, 2016, Detective Valkanoff received the DNA results from the lab, which identified Mr. Mallett semen present in the location the child victim alleged the sexual assault took place. The case was presented to Deputy District Attorney Paul Graves, who filed twelve counts of Child Molestation against Mr. Mallett. On March 17, 2016, Judge T. Canepa signed the felony complaint and issued a warrant for the arrest of Mr. Mallett, with a bail of \$1,150,000 dollars. Delta Station Sergeant Gackowski was notified about the warrant issued for Mr. Mallett. Sergeant Gackowski briefed his team and responded to Mr. Mallett's residence on the evening of March 17, 2016 to arrest Mr. Mallett.

On March 17, 2016, at approximately 2200 hours, Contra Costa County Sheriff's Office Deputies were advised suspect Michael Mallet, who lived at 2700 Hoffman Lane in Byron, had a night service endorsed felony warrant for multiple counts of Penal Code 288(a).

Delta Station deputies responded to Mr. Mallett's residence to attempt to serve the warrant. Once on scene, deputies saw the lights in Mr. Mallett's residence being turned off. When deputies attempted to contact Mr. Mallett they saw Mr. Mallett in the doorway of the residence holding a gun to his side. Mr. Mallett retreated into the residence, shutting the door behind him.

Deputies established a perimeter around the residence and contacted Mr. Mallett's wife via telephone. Two adult females and two juveniles came out of the house. The granny unit on the property was also evacuated. The occupants who came out of the residence confirmed Mr. Mallett was the only one left inside of the residence and he was armed with a handgun. CCCSO SWAT Commander Lieutenant Beltran was notified of the situation and responded to the scene with members of HNT.

Once SWAT members arrived on scene, the initial responding deputies were rotated off their perimeter positions by SWAT members. During this time, Mr. Mallett was seen covering windows in the residence. Mr. Mallett was also seen again holding a handgun.

Initially, Mr. Mallett would not answer the phone to talk to HNT. Once Mr. Mallett answered the phone, he requested to speak with his brother; Mr. Mallett also admitted to having a gun and refused to put the gun down or show his hands.

As the incident progressed, Mr. Mallett completely stopped responding to any attempts to talk to him or requests for him to come out. To attempt to prompt Mr. Mallett to talk again, SWAT introduced annoyance devices into Mr. Mallett's residence, including flashbangs and chemical agents.

Mr. Mallett then jumped out of a first story window of the residence with the handgun in his hand. Mr. Mallett was given orders to drop the gun, but he refused to obey the orders and instead raised the gun toward SWAT team members. SWAT Team Members Sergeant Welch, Sergeant Johnson and Deputy Rossi, who were positioned where Mr. Mallett exited the residence, all fired at Mr. Mallett in defense of their lives. Once Mr. Mallett was no longer a threat, SWAT Team members provided medical attention to Mr. Mallett and requested AMR to respond.

Mallett did not survive his injuries and was pronounced deceased at the scene by AMR personnel.

The residence at 2700 Hoffman Lane is a two-story residence with an attached garage and detached granny unit on the south/east side of the main residence. The residence is located in a rural area approximately 120 yards south of Hoffman Lane and about 550 yards west of Byron Highway.

After The initial walk through briefing and viewing of the scene, Homicide Detective Root responded back to the Field Operation Bureau and authored a search warrant for Mr. Mallett's residence.

Deputy Rossi was interviewed at the Field Operation Bureau by Detective Busch and DA Inspector Morris. Attorney Julia Fox was present during the interview to represent Deputy Rossi.

Deputy Rossi has been employed with the Office of the Sheriff for approximately ten years and has been an active member of the SWAT team for approximately the last four years. At the time of the incident, Deputy Rossi was assigned to the Narcotics Unit.

On March 17, 2016 at about 0300 hours, Deputy Rossi received a SWAT call-out for a barricaded subject in Byron. Deputy Rossi said he responded to the FOB and arrived at about 0320 hours and helped load the SWAT team equipment into the SWAT team vehicles. Deputy Rossi and other SWAT team members responded to the location in Byron and were briefed by Lieutenant Beltran, who advised Mr. Mallett was seen in the residence with a handgun. Deputy Rossi said HNT was on scene prior to his arrival.

Deputy Rossi was assigned to relieve and replace patrol deputies, who had parked their patrol vehicle on the north/west side of the residence. Deputy Rossi took up a position of cover in the passenger's side door of the vehicle. The patrol vehicle lights were being used to illuminate the master bedroom of the residence, which was the last known location of Mr. Mallett.

Deputy Rossi said the LRAD (Long Range Acoustical Device) was being used by HNT as a tactic to get Mr. Mallett to respond and talk to HNT. Deputy Rossi said Mr. Mallett was instructed to come out with his hands up and to exit the residence without the weapon. Deputy Rossi estimated he heard commands repeated at least a dozen times, if not more, to get Mr. Mallett to come out of the residence.

Deputy Rossi said he was advised SWAT team members on the other side of the house planned to deploy "ferret rounds" or gas rounds into the residence to act as an irritant to Mr. Mallett.

Deputy Rossi said he stayed focused on the window where he had last saw Mr. Mallett, when without warning, the large bathroom window slid open. Deputy Rossi said he saw Mr. Mallett holding a black handgun at the window. Deputy Rossi then saw Mr. Mallett jump up onto the window sill with the gun in his hand. Mr. Mallett then jumped out of the window holding the gun to his side. Deputy Rossi said he yelled "Gun." Deputy Rossi said Mr. Mallett began turning the corner where other SWAT team members were positioned. Deputy Rossi saw Mr. Mallett, "lift up his hand with the gun in it." Deputy Rossi described Mr. Mallett as being six to ten feet from the other team members at this time.

Deputy Rossi said he continued to yell out his observations as Mr. Mallett got within three or four steps of the other SWAT team members, who were at the corner of the house and could not see Mr. Mallett approaching. Deputy Rossi feared for the lives of the other SWAT team member, so he fired three rounds from his M4 SWAT rifle. Deputy Rossi said the entire incident from the time Mr. Mallett exited the window to when he approached the other SWAT team members went really fast and he feared for the other team members lives. Deputy Rossi said Mr. Mallett fell to the ground after he fired. Deputy Rossi then approached Mr. Mallett and provided medical aid to Mr. Mallett.

Sergeant Johnson was interviewed at the Field Operation Bureau by DA Inspector Morris and Detective Busch. Attorney Jonathan Murphy was present during the interview to represent Sergeant Johnson.

Sergeant Johnson has been employed with the Office of the Sheriff for approximately seventeen years. He was promoted to the rank of sergeant in 2012 and is currently assigned to the Custody Services Bureau. Sergeant Johnson is a department firearms instructor and has been a member of the SWAT team for approximately ten years.

Sergeant Johnson said he noticed he missed a SWAT call out on his phone at about 0430 hours. He contacted dispatch as soon as he noticed the missed call. Dispatch advised the call was still active, so he collected his SWAT gear and responded directly to the scene from his residence. Sergeant Johnson said he was in time for the SWAT briefing given by Lieutenant Beltran. Sergeant Johnson said the briefing outlined the call up to that point to include Mr. Mallett had armed himself and had refused to comply with the deputies' orders to come out of the residence. Sergeant Johnson said he was provided with a layout of the residence and told Mr. Mallett had barricaded himself in the master bedroom.

Sergeant Johnson positioned himself along the northwest corner of the residence along with Sergeant Welch, Deputy E. Rossi and Sergeant Ingrassia. Sergeant Johnson said he could not see inside of the bedroom, but any movement seen by other team members was relayed on the radio. HNT members relayed Mr. Mallett was still refusing to come out and he was not going to surrender his firearm.

Sergeant Johnson said they deployed several flash bangs just below the master bedroom window and other team members deployed ferret rounds inside of the residence.

Sergeant Johnson said suddenly he saw a SWAT team member raised his firearm and heard the team member yell, "show me your hands, show me your hands." Sergeant Johnson then saw Mr. Mallett jump out of a window about ten to twenty feet from his position. Sergeant Johnson said Mr. Mallett had a black semi-automatic handgun in his hand and was facing his position. Sergeant Johnson said he immediately raised his firearm and addressed the threat, while multiple deputies yelled for Mr. Mallett to drop the gun. Sergeant Johnson said this went on for five to ten seconds when Mr. Mallett raised his gun. Sergeant Johnson fired two rounds center mass on Mr. Mallett and Mr. Mallett immediately fell to the ground. Once Mr. Mallett was secured, medical aid was requested to respond.

Sergeant Johnson said he did not give Mr. Mallett any commands during the incident, but he heard multiple deputies giving Mr. Mallett commands to drop the gun.

Sergeant Welch was interviewed at the Field Operation Bureau by Detective Busch and DA Inspector Morris. Attorney Julia Fox was present during the interview to represent Sergeant Welch.

Sergeant Welch has been employed by the Office of the Sheriff since 2003 and was promoted to the rank of sergeant approximately two years ago. Sergeant Welch has been a member of the SWAT team since 2011 and is currently assigned as an assistant team leader.

Sergeant Welch said he received a call at about 0320 hours in regard to a SWAT call out of a barricaded subject in Byron. HNT was on scene and negotiations were ongoing. Sergeant Welch responded to the Field Operation Bureau and assisted with loading the SWAT vehicles.

Sergeant Welch was briefed at the scene and later took up a position on the side of the house, outside of the kitchen. Sergeant Welch said Sergeant Johnson, Deputy E. Rossi, Deputy Rodriguez and Sergeant Gackowski were also with him at his position. Sergeant Welch said negotiations with Mr. Mallett were on and off for several hours. Sergeant Welch said during the incident, they deployed several flash bangs to prompt Mr. Mallett to continue to communicate after he had stopped.

Sergeant Welch said he heard Deputy A. Rossi advise the bathroom window was opening. Sergeant Welch then heard other SWAT members giving commands and saw movement from SWAT team members who were at the CCCSO SUV parked by their position. Sergeant Welch said, "Next thing I see is someone coming through the air and landing in front of me in the grass. The subject stands up and in his right hand I see a black semi-automatic gun or pistol....he looked toward me, saw me and then started turning his body toward me." Sergeant Welch explained during his interview at the time he saw Mr. Mallett with the gun outside of the house he feared Mr. Mallett was going to shoot him or one of his partners. Sergeant Welch said he conducted a "double tap point shoot" at Mr. Mallett due to the threat to him and his partners. Sergeant Welch saw Mr. Mallett fall to the ground and the gun Mr. Mallett was holding also drop to the ground. Sergeant Welch said Mr. Mallett appeared to reach for the gun while on the ground, so Sergeant Welch fired a "few" more rounds at Mr. Mallett to prevent him from grabbing the gun again.

Sergeant Welch and his partners then approached Mr. Mallett and secured him in handcuffs. Sergeant Welch said he then called for Code 3 medical and started providing medical aid to Mr. Mallett. AMR arrived a short time later and took over the medical aid of Mr. Mallett.

Sergeant Welch said he, Sergeant Johnson and Deputy Rossi were sequestered.

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Detective Busch contacted Mr. Mallett's neighbor, [REDACTED] who was awakened by the incident at Mr. Mallett's residence in the early morning hours of March 18, 2016.

[REDACTED] said she had lived near the Mallett residence for approximately five years, but she did not know the Mallett family. [REDACTED] said on March 18, 2016, she was asleep in bed when she was awoken between 0100 to 0200 hours by what she described as a robotic sounding voice that was "incredibly loud." [REDACTED] looked outside and saw a lot of lights outside of the Mallett residence. Ms. [REDACTED] said it was obviously the police, because there were flashing red and blue lights, lights illuminating the house, police cars visible and she heard multiple announcements from the Sheriff's on scene.

[REDACTED] said the incident continued into the day light hours and she heard the PA system stopped at times and then continued. [REDACTED] said she heard several loud bangs and assumed the police were releasing chemical gas. [REDACTED] said between 0800 to 0900 hours, she heard several loud bangs followed by what she described as gun fire. [REDACTED] said the gun fire occurred in a "very, very short period." [REDACTED] said after that she heard officers talking, radios and the sound of a helicopter landing, which seemed to happen quickly. [REDACTED] said she was on the phone at the time she heard the shots and could not hear any actual commands given by the officers.

The HNT recordings and call history from the incident were reviewed. During the incident between 0125 to 0444 hours, HNT called Mr. Mallett's cellular phone multiple times. During these calls, several voice mail messages were left by an HNT member identifying who was calling and requesting Mr. Mallett answer the phone so they could talk.

At 0444 hours, Mr. Mallett answered the phone and stated he was not going back to jail, because he knew he had a warrant for his arrest. HNT Deputy Hunter told Mr. Mallett he would have an opportunity in court to prove his innocence and that they were only there to help him.

Mr. Mallett responded, "You guys don't want to help me. You just want to put me in jail and arrest me cause that's your job." Mr. Mallett went on to say, "Well we got a problem, because I'm not going to jail." Mr. Mallett stated he did not want to be a burden to his family and was concerned he would not last in jail.

Throughout the night, Mr. Mallett would talk to HNT and then hang up. HNT called back multiple times and when Mr. Mallett would not answer, HNT left messages.

At 0829 hours, Mr. Mallett answered one of HNT's calls and made several statements expressing he did not care about his own safety. Mr. Mallett said, "I'm not coming out. I'm not putting down the gun." HNT Deputy Hunter asked Mr. Mallett if he planned on shooting himself and expressed that she did not want him to hurt himself. Mr. Mallett responded, "I understand what you are trying to do. You are trying to resolve this. I understand that."

Throughout the contact, HNT had with Mr. Mallett, he was repeatedly asked to put his gun down and he was told Sheriff's personnel did not want to hurt him. Mr. Mallett told HNT Deputy Hunter multiple times he would not put the gun down and or comply. HNT last spoke to Mr. Mallett at 0924 hours, at which time he told Deputy Hunter her words were empty. Mr. Mallett stopped responding.

Detective Masserski later conducted a forensic download of both Mr. Mallett's cell phone and his wife's cell phone. The following were discovered during the download.

- Text sent by Mr. Mallett to his wife [REDACTED] on 03/17/2016 at 23:25 hours; "Always remember I love you. I'm so sorry I put you through this. Please forgive me."
- Text sent by Mr. Mallett to his wife on 03/17/2016 at 23:38 hours; "I'm so thankful at least got to spend 6 weeks with. I love you so much, don't ever forget that."

There were multiple other text and voice messages from HNT asking Mr. Mallett to please answer his phone and talk to HNT personnel, but Mr. Mallett did not respond.

FORENSIC INVESTIGATION

On Monday March 21, 2016, at approximately 0800 hours, Doctor Joselyn performed an autopsy of Mr. Mallett and determined the cause of death was due to multiple gunshot wounds.

At the Coroner's Inquest on November 16, 2016, the jury unanimously ruled the legal cause of death as suicide.

REPORTS

Office of the Sheriff	16-4105
Office of the District Attorney	16-4105
Internal Affairs	2016-018
Lab Case Number	16-4105
Coroner's Case Number	16-1357

POLICIES / PROCEDURES REVIEWED

Office of the Sheriff General Policy and Procedure Section 1.06.46 – Hostage and Barricade Situations

Office of the Sheriff General Policy and Procedure Section 1.06.61 – Use of Force

Office of the Sheriff General Policy and Procedure 1.06.62 – Police Involved Fatal or Serious Injury Incidents

Office of the Sheriff General Policy and Procedure Appendix 2.1 – Officer-Involved Fatal Incident Protocol

POLICIES / PROCEDURES CONGRUENT WITH COMMON PRACTICE

Upon review of the cited Office of the Sheriff policies, it appears all applicable policies and procedures were followed properly.

Office of the Sheriff General Policy and Procedure 1.06.46 – Hostage and Barricaded Situations states in part:

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I. **POLICY.**

- A. Hostage and barricaded suspect situations pose a dangerous and often complex law enforcement problem. Such situations will be controlled in a manner balancing the concerns for all involved and in a manner designed to provide for the safe release of the hostage(s), to safeguard the lives of the public and Office or the Sheriff personnel, and to apprehend those responsible.**

II. **DEFINITIONS**

- A. BARRICADE EVENT. An act of a subject threatening harm to him/herself or to others in an attempt to dissuade police from taking them into custody.**

III. **GENERAL**

A. HOSTAGE/BARRICADE TACTICS.

1. The object of the Office of the Sheriff tactics are to:

- a. Protect life of hostage;**
- b. Protect life of innocent bystanders;**
- c. Protect police lives;**
- d. Obtain hostage release; and**
- e. Arrest suspect.**

2. The basic available tactics are:

- a. Contain and do nothing;**
- b. Contain and negotiate;**
- c. Contain and use selective fire power**
- d. Contain and use chemical agent;**
- e. Contain and assault; or**
- f. Release suspect**

- The release of a suspect is an alternative that may be considered and an option which is to be left open.**

3. *It is the responsibility of the Office of the Sheriff to control these situations using available tactics to realize our objectives. To these ends, reasonably available techniques; i.e., Hostage Negotiations and S.W.A.T. Teams, etc., will be evaluated and utilized whenever appropriate, such as:*
 - a. *To attempt to obtain and maintain operational control of any continuing incident, be it stationary or mobile. Such control will be within the scope of the Office of the Sheriff jurisdiction or within the scope of a cooperative agreement with other jurisdictions;*
 - b. *To explore reasonably available sources of intelligence regarding the circumstances, location, and suspect(s) in the incident;*
 - c. *To attempt to obtain tactical advantage over the suspect(s) by reasonably available means; and*
 - d. *Through the expertise of Office of the Sheriff employees and others, attempt a negotiated release of the hostage(s) and surrender of the suspect(s).*
4. *Failure in obtaining a negotiated release of the hostage(s) or surrender of the suspect(s) does not necessarily or normally mean that the suspect's demands or conditions must be met. Such a determination must only be made by those at the scene with command responsibility after considering all variables involved.*
5. ***Nothing in this Policy shall preclude the use of necessary force, deadly or otherwise, by Deputies protecting themselves or others from death or serious injury.***

B. PROCESS OF NEGOTIATION.

1. *The process of negotiation begins with the assumption that police are the best element for handling hostage/barricade situations. No outside personnel shall be brought to the scene to "talk" the suspect out; no family, friends, minister, etc; except when considered appropriate by the Tactical Commander. The scene shall be contained with an inner and outer perimeter and no outside personnel shall be allowed within the outer perimeter.*
2. *Persons held hostage have no command authority, regardless of their rank or public position.*
3. *The scene shall be tightly contained by S.W.A.T. or other available personnel. Contact with the suspect shall be made in any manner possible, i.e., voice, telephone or radio, by the negotiation team. Use of a bullhorn shall be the tool of last resort.*
4. *If death or serious injury has occurred prior to the suspect taking a hostage, the negotiating technique may still be effective. However, if a hostage is killed in response to a suspect's demands, then the negotiation technique should be discarded and assault techniques implemented.*

6. *The initial status of a hostage situation should be containment, reassurance, evacuation of others, gathering of intelligence, and beginning a phased replacement of initial field units with S.W.A.T. personnel to the extent deemed appropriate by the Tactical Commander.*

B. S.W.A.T. RESPONSE.

1. *S.W.A.T. response shall be in accordance with the parameters of current S.W.A.T. training dictates while recognizing the uniqueness of the hostage situation objective.*
2. *Protection of human life and the release of the hostage are the primary and secondary goals. Apprehension of the responsible is a third goal.*
3. *The S.W.A.T. responsibility must adjust to this unique objective by avoiding precipitous action and maintaining a low profile in order to reduce the tension and anxiety of the responsible.*
4. *Assault by the S.W.A.T. Team should not be implemented unless death or serious injury is imminent or has been perpetrated by the responsible, or has been deemed a tactical necessity by the Tactical Commander.*

On March 17, 2016, at approximately 2200 hours, Contra Costa County Sheriff's Office Deputies responded to 2700 Hoffman Lane in Byron, to arrest Mr. Mallett on a felony warrant for multiple counts of Penal Code 288(a). As deputies approached Mr. Mallett's residence to affect his arrest, Mr. Mallett armed himself with a semi-automatic handgun and refused to exit his residence in an attempt to avoid being taken into custody.

Mr. Mallett's family was able to exit the residence and confirmed Mr. Mallett was the only person remaining in the residence. Mr. Mallett's family also said he was refusing to come out and he had armed himself with a handgun. Mr. Mallett stated he would hurt himself if anyone entered the residence. Sergeant Gackowski established a perimeter around Mallett's residence, contacted the Officer of the Day and the Hostage Negotiating Team to respond.

Office of the Sheriff General Policy and Procedure 1.06.61 – Use of Force states in part:

I. POLICY.

- B. *Deputies shall use only that degree of force that **is objectively reasonable to protect themselves and others**, or to overcome resistance to their lawful authority.*

III. GERNERAL

- C. **DECISION TO USE FORCE.** *A Deputy's decision to use force shall take into consideration the facts and circumstances of each individual situation. Factors a Deputy should consider when deciding to use force in a given situation include but are not limited to:*

1. Severity of the crime at issue;

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2. **Whether the suspect pose an immediate threat to the safety of Deputies or others;**
3. *Whether the suspects are actively resisting arrest or attempting to evade arrest by flight;*
4. **The time available to make decisions;**
5. *Number of Deputies versus number of suspects;*
6. **Proximity to potential weapons (the Deputy's or others);**
7. *Age, size and relative strength of Deputy versus suspect;*
8. *Suspect's special knowledge or skill level;*
9. *Deputy's injury or exhaustion;*
10. *Suspect's mental illness, emotional disturbance, or drug usage and impact on pain tolerance or rationality of response;*
11. *Knowledge of/or prior contacts with suspect;*
12. *The opportunity when feasible to give a warning in cases where force may result in serious injury, unless such a warning would increase the risk of greater injury to Deputies, citizens, or the suspect;*
13. *Potential for and risk of escape;*
14. *Environmental factors, i.e. lighting, terrain, etc.*

D. **FORCE OPTIONS.** The Office of the Sheriff recognizes a Deputy's need for a degree of flexibility in making use of force assessments given the fluid dynamics of a confrontation. The standard for evaluating a Deputy's use of force is "reasonableness under the facts and circumstances known to the Deputy at the time." Therefore, a Deputy may choose any of the following force options, including no use of force, provided the force option selected is objectively reasonable.

1. Professional Presence Non-Verbal and Verbal (no force). Includes display of authority as a peace officer and such non-verbal means of communication as body language, demeanor, and manner of approaching. Verbalization involves the directions and commands given to the subject.
4. Chemical Agents. Includes substances in either liquid or solid form, including chloroacetophenone (CN), chlorobenzylidene malononitrile (CS), or oleoresin capsicum (OC).
9. Specialized Weapons. Includes items such as impact projectiles or ammunition which is designed to immobilize, incapacitate or stun a human being through the infliction or

any less lethal impairment of physical condition, function, or senses, including physical pain or discomfort.

11. Firearms. Includes handguns, rifles, shotguns, and automatic weapons authorized for use by the Office of the Sheriff.

12. Deadly Force. The use of deadly force is not limited to the use of firearms. Deadly force options may include the intentional use of legal intervention techniques and any physical means which creates a substantial risk of causing death or serious bodily injury. Note that any force option listed above may be categorized as "deadly force" when used intentionally in a manner that falls within the definition of deadly force. For example, intentionally direction a baton strike to the head of a suspect would be a use of deadly force. A Deputy may use deadly force only where he or she has probable cause to believe that a suspect poses a significant threat of death or serious physical injury to the Deputy or others.

15. USE OF DISTRACTION DEVICES. Distraction devices will only be used as a defensive or control device in those instances that threaten the safety of the Deputy or other persons. When properly deployed as part of an overall tactical plan, the distraction device can afford an enhanced margin or officer safety.

1. The primary target area for deployment of a distraction device is the floor area immediately inside a primary entry point, i.e. a door or other available means of ingress into a room or structure. A secondary deployment area may be any area where activation of the device will provide an enhanced margin of officer safety by attracting a suspect's attention to the area of activation.

a. Prior to deploying a distraction device, the Deputy deploying the device will visually check the immediate area where the device is to be deployed in order to ensure that no persons are in that immediate area. Extreme caution should be used upon deployment of a distraction device in areas where there is potential for fire hazard due to flammable vapors, gases, substances or other flame hazard.

G. USE OF FIREARM/DEADLY FORCE.

1. A firearm may be discharged only for one or more of the following circumstances:

- a. At an approved target range, or for evidence examination purposes;
- b. When killing a seriously wounded animal when other disposal is impractical or when killing an animal that poses an immediate threat of physical harm. Attempts should be made to:
 - Wait for Animal Control, if possible;
 - Confine or contain the animal, if possible;

- Consider deployment of pepper (OC) spray or other less lethal force;
 - Use lethal force as a last resort, if other options are not reasonable.
- c. **When necessary in the defense of one's own life or to prevent serious physical harm;**
 - d. **When necessary in the defense of any person in immediate danger of death or serious physical injury;**
 - e. To capture or prevent the escape of a person when ALL the conditions below are met:
 - There is reasonable belief the person is committing or has committed a violent felony which involves the use of deadly force;
 - The person's use of deadly force threatens or results in the death or serious bodily injury of another person; and
 - All other available means of apprehending the person have failed.
2. **WHEN FIREARMS WILL NOT BE DISCHARGED.** Firearms will not be discharged:
 - a. As a warning;
 - b. To effect the capture or prevent the escape of a person who is reasonably believed to be committing, or have committed, a felony which DOES NOT involve the use or threat to use deadly force;
 - c. In any misdemeanor case;
 - d. From or at a moving vehicle except in the defense of one's own life or the life of another person.

V. PROCEDURE 2.

- A. **PROVIDING MEDICAL AID AFTER USE OF FORCE.** When use of force causes injury, which would reasonably require medical attention, the Deputies using such force will ensure the injured person receives proper medical attention as soon as possible.
 1. Deputies will normally transport or arrange for transport of injured persons to the Contra Costa Regional Medical Center, unless the nature and/or extent of the injuries necessitate transport to a closer facility, or as directed by a Supervisor.

HONOR

COURAGE

COMMITMENT

LEADERSHIP

TEAMWORK

VI. PROCEDURE 3.

A. **REPORTING USE OF FORCE.** Any member of the Office of the Sheriff who either uses force or witnesses the use of force by another member of this Office shall, as soon as possible, make an oral report to their immediate Supervisor. All such reports shall be made no later than the end of duty shift on which the force was used. In all cases where there is a use of force, as defined in this policy, a DR will be drawn and details of the use of force will be reported by the Deputy who used the force on either a Crime Report, or Detention Incident Report as applicable. All such reports will include:

1. Type of force used;
2. Reason for the use of force;
3. Extent of injury;
4. Other pertinent information the Deputy wishes to include;
5. If an animal shooting, conditions set forth in G, 1, b of this policy shall be observed.
6. If the incident preceding the use of force would normally be reported on a Crime Report, the details of the use shall be included in that report
7. Use of force reports where impact projectile weapons or distraction devices are used will also include:
 - a. Name of the Deputy deploying the munition;
 - b. Supervisor's name authorizing deployment;
 - c. Number of munitions deployed;
 - d. Distance between the suspect and the Deputy deploying the munition;
 - e. Area of suspect's body struck by the munition(s); and
 - f. Suspect's reaction to the munition.

VIII. PROCEDURE 5.

A. **REPORTING USE OF FIREARMS.**

1. The discharge of a firearm at a target range or for evidence collection does not require a report.

2. *The discharge of a firearm to dispatch an animal normally requires prior permission from the Patrol Sergeant. Should exigent circumstances prevent prior authorization, the Patrol Sergeant will be advised as soon as possible. A memorandum to the Patrol Division Commander via the chain of command outlining the need for the action shall follow the incident.*
3. *When any other discharge of a firearm, either accidentally or in the performance of police duty, occurs and there are no serious injuries or deaths, the following shall be done:*
 - a. *The Deputy who discharged the firearm shall notify his/her Supervisor or the senior Deputy on duty as soon as time and circumstances permit. The Deputy shall submit a detailed written report of the circumstances via the chain of command to his/her Division Commander.*
 - b. *The Deputy's Supervisor will notify the Division Commander and shall protect the scene and identify witnesses pending further instructions from the Division Commander.*
 - c. *The Deputy's Division Commander shall conduct an investigation.*
 - *If the incident occurs when the Division Commander is either off duty or unavailable, the Patrol Station House Commander shall be notified and will immediately and personally conduct the investigation when notified.*
 - *The Station House Commander will submit an inter office memo to the Deputy's Division Commander detailing the incident and the investigation.*
 - *If the area Station House Commander is unavailable, the Watch Commander will conduct the investigation.*
 - *Should a thorough investigation of the incident indicate the need for corrective action, the Division Commander will initiate appropriate procedures as covered in Office of the Sheriff Policy Section 1.05.58, Corrective Counseling System and Section 1.05.70, Personnel Management Regulations.*
 - d. *Following the investigation of the incident, a detailed written report shall be submitted via the chain of command to the Sheriff. This report shall include the observations and conclusions of the Division Commander.*
4. *When any on-duty or off-duty discharge of a firearm by an Office of the Sheriff employee results in death or serious injury, Office of the Sheriff Policy Section 1.06.62, Police Involved Fatal or Serious Injury Incidents Policy shall apply.*
 - a. *The Division Commander will receive a detailed written report*

concerning the incident completed by the Internal Affairs Detail, after review by the Undersheriff. This report shall be reviewed in conjunction with any other documents and/or information available and the Division Commander will submit a recommendation via the chain of command to the Sheriff/Undersheriff.

The Hostage Negotiators Team spoke to Mr. Mallet multiple times throughout the incident in an attempt to take Mr. Mallet into custody. Mr. Mallett refused the repeated requests for him to put down the handgun and to exit the house peacefully.

At about 0930 hours, Mr. Mallett exited a first-floor rear window of the residence holding a black semi-automatic handgun in his hand. SWAT team member Deputy A. Rossi saw Mr. Mallett exit the window with the gun. Deputy A. Rossi immediately started yelling commands at Mr. Mallett to drop the gun, but Mr. Mallett refused. Mr. Mallett started walking towards Sergeant Johnson and Sergeant Welch who were approximately twenty feet away from Mr. Mallett.

Fearing for the lives of his SWAT team members, Deputy A. Rossi discharged his SWAT rifle at Mr. Mallett in defense of their lives. At about the same time Sergeant Welch and Sergeant Johnson also said they saw Mr. Mallett approaching their location armed with the handgun. Sergeant Welch and Sergeant Johnson said Mr. Mallett started to raise his handgun in their direction, so they fired in defense of their lives.

Mr. Mallett was struck multiple times and fell to the ground where he was taken into custody. Emergency medical care was administered to Mr. Mallett by both deputies and AMR.

Sergeant Johnson, Sergeant Welch and Deputy Rossi's use of deadly force was objectively reasonable to protect themselves and the lives of their partners.

Office of the Sheriff General Policy and Procedure 1.06.62 – Police Involved Fatal or Serious Injury Incidents states in part:

I. POLICY.

- A. *Investigations of police involved fatal or serious injury incidents are often complex and demanding. Such cases often attract considerable public and news media interest. The consequences of the incident can be profound and affect many people. Because of these factors, incidents of this nature shall be fully and fairly investigated. Proper disposition of such cases will be based on all the legally available relevant evidence.*

II. DEFINITIONS.

- B. **POLICE INVOLVED FATAL OR SERIOUS INJURY INCIDENT.** *Any police investigation directly involving two or more people in which and on-duty or off-duty police employee is involved and death or serious injury results. Such incidents include but are not limited to:*
5. **Deaths of persons while in police custody** *or under police control, but excluding fatal injuries of prisoners which occur while the inmate is under physician's treatment for a disease or other natural condition which has been diagnosed prior*

to death and which does not involve custodial trauma, custodial suicide or custodial ingestion of toxic substance.

Because Mr. Mallett's death occurred while Office of the Sheriff's personnel were attempting to take him into custody, an investigation was mandated per policy and the Law Enforcement-Involved Fatal Incident Protocol was invoked.

Office of the Sheriff General Policy and Procedure Appendix 2.1 – Officer-Involved Fatal Incident Protocol states in part:

E. “LAW ENFORCEMENT-INVOLVED FATAL INCIDENTS” “(LEIFIs)” – MANDATORY

*Law Enforcement-Involved Fatal incidents (LEIFIs) are “fatalities” (Refs 21-23) of civilians and of Law Enforcement Personnel which occur in Contra Costa County under any of the circumstances listed below. Fatalities which met the criteria listed below shall be investigated under this Protocol, i.e. they are **mandatory Protocol cases**, the criteria for which are:*

1. ***Incidents fatal to civilians in which (a) the conduct of a “Law Enforcement Person” or (b) the operations or activities of an LEA, is/are “actually or conceivably a factor” (Ref 8) in the fatality.***
 - b. *Law enforcement operations or activities of any type in which a fatality occurs, such as these examples:*
 - 3) ***while the person is in custody including, for example, in the field, in vehicles, sally ports, holding cells, jails, interview rooms, court facilities, or medical facilities.***

Due to Mr. Mallett's death, the Law Enforcement-Involved Fatal Incident Protocol was invoked on March 18, 2016 at 0944 hours by Lieutenant Beltran. As a result, a parallel investigation was conducted by investigators from the Office of the Sheriff and District Attorney's Office.

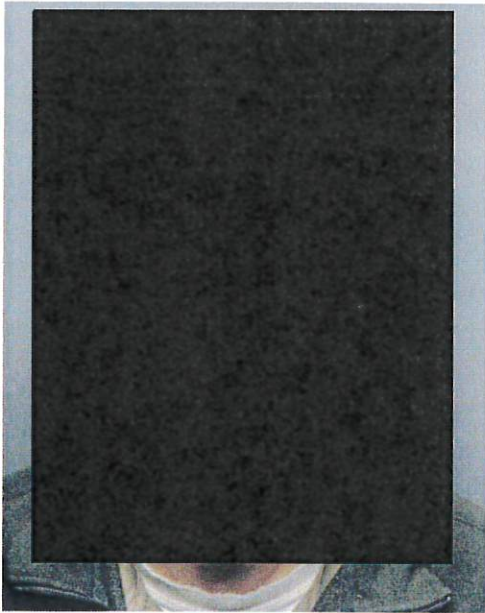
The investigation did not reveal any violations of Contra Costa County Office of the Sheriff Policies and Procedures, State, or Federal laws. All actions taken by Office of the Sheriff personnel were justified, lawful and proper.

Viewed objectively, the actions taken by Office of the Sheriff personnel concerning Michael Mallett were legal, proper, and in congruence with Contra Costa County Office of the Sheriff Policies and Procedures.

MALLETT, MICHAEL [Booking#: CC16HW679]-[DOB: 8/22/1966] , Bookings

Categories

Profile

	First Name	MICHAEL		
	Last Name	MALLETT		
	Middle Name	LEE		
	Salutation	Not Specified	Suffix	Not Specified
	Date of Birth	8/22/1966	Gender	Male
	Birth Country	USA		
	Birth City			
	Citizenship	USA		
	Ethnicity	WHITE		
	DL #			
Marital Status	Single	SSN		
Height	5 ft 8 in	Weight	165 lbs	
Book Date/Time	2/2/2016 22:42	Release Date	2/5/2016	
Booking Status	Closed	Custody Status	Not in custody	

Identity Reference

Identity Number	CC-ID-A061522	CIN Number	
FBI Number		AFIS Number	070KNL226
State Number		County Number	
Local Number		PFN Number	
Other Number			

Booking Reference

Reference Type	Reference Number	Agency	Issued By	Date of Issue
Case Number	16-1736	020 CONTRA COSTA CO SHERIFF		
Warrant Number	J16-00155/00156			
Docket Number	16-1736	020 CONTRA COSTA CO SHERIFF		
Docket Number	J16-00155 & J16-00156			

Arrest, Charges

Arrest 1	
Arrest Number	1
Type of Arrest	On View
Arrest Date/Time	2/2/2016 20:40
Location of Arrest	2700 HOFFMAN LANE BYRON
Arresting Officer	SINGLETON
Badge#	63646
Case No	16-1736
Hold#	
Arrest Agency	CONTRA COSTA CO SHERIFF
Agency Description	CONTRA COSTA CO SHERIFF
ORI	
Hold Agency	
Transport Officer	
Badge#	
Warrant#	
Voided Reason	
Charge Details	

Statute	Charge Class	Description	Classification Lvl	DNA	Disposition
261.5(D) PC	Felony	SEX W/MNR:PERP 21+ VIC-16	HIGH	Yes	849PC No Charges Filed
269(A)(1) PC	Felony	AGG SEX ASLT:MNR:FRCE/ETC	HIGHEST	Yes	849PC No Charges Filed
288(C)(1) PC	Felony	L&L ACTS W/CHILD:AGE SPEC	HIGH	Yes	849PC No Charges Filed
288.5(A) PC	Felony	CONT SEX ABUSE OF CHILD	HIGH	Yes	849PC No Charges Filed
289(A) PC	Felony	SEX PENTR:FORN OBJ W/FORC	HIGHEST	Yes	849PC No Charges Filed

Enhancement

Statute	Code	Description	Section	Display
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Arrest . 2

Arrest Number	2	Arrest Agency	CONTRA COSTA CO SHERIFF
Type of Arrest	Courtesy Tracking	Agency Description	CONTRA COSTA CO SHERIFF
Arrest Date/Time	2/5/2016 08:15	ORI	CONTRA COSTA CO SHERIFF
Location of Arrest	MDF	Hold Agency	
Arresting Officer	Boutain	Transport Officer	
Badge#	Unk	Badge#	
Case No		Warrant#	J16-00155/00156
Hold#		Voided Reason	

Charge Details

Statute	Charge Class	Description	Classification Lvl	DNA	Disposition
300 WI	Civil	DEPENDENT CHILDREN - JURISDICTION	Not Specified	No	Courtesy Tracking

Enhancement

Statute	Code	Description	Section	Display
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Physical

Body Build	Not Specified	English Ability	Not Specified
Can Hear	Yes	Eye Color	BROWN
Can See	Yes	Eye Condition	Not Specified
Can Speak	Yes	Facial Hair	Not Specified
Complexion	Not Specified	Hair Color	BLACK
Dexterity	Not Specified	Hair Length	Not Specified
Dress Size	0	Hair Style	Not Specified
Height	5 ft 8 in	Teeth Condition	Not Specified
Weight	165 lbs	Vision Aid	Not Specified
Speech Accent	Not Specified	Shoe Size	0

Bed Assignment

Facility Path	Room Number	Bed Number	Status
			Not Assigned

Subject Address

Address Type	Street	City	State	Zip code	Country	From Date	To Date
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Not Specified	2700 HOFFMAN LANE	BYRON	CA	USA
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Subject Phone

Phone Type	Phone Number
Not Specified	

Subject AKA

Last Name	First Name	Middle Name	Suffix
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Subject SMT

SMT Code

Subject Employment

Occupation	Contact Name	Start Date	End Date	Employment Status
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DNA

Sample Type	Date/Time of Collection	Collected by	Location
Saliva	2/2/2016 23:05	MDF INTAKE	MDF INTAKE

Classification

Known Enemies						
Booking #	Last Name	First Name	Date Of Birth	Sex	Location	Custody Status
Special Conditions						
Protective Custody						

Sentence Calculation

Start Date		Projected Release Date	
Ordered Time		Credit Time Served	
Credit Time		Reverse Credit Time	
Good Time		Reverse Good Time	
Work Time		Reverse Work Time	
Suspended Time		Custom Plus Time	
Custom Minus Time			

Property History

Create Date	Container Type	Content Type	Storage Location	Storage Unit	Facility
2/2/2016 22:45	Sealed Bag	Personal Property			
2/2/2016 22:46	Clothing Bag	Clothing			
2/3/2016 14:25	Sealed Bag	Personal Property			
2/3/2016 14:25	Clothing Bag	Clothing			
2/4/2016 08:45	Clothing Bag	Clothing			
2/5/2016 19:06	Sealed Bag	Personal Property			
2/5/2016 19:06	Clothing Bag	Clothing			

Message From Terminal/Unit: STDR Operator: GATE

Originally Sent To: ADM1

Date/Time Sent: 18-MAR-2016 15:32:26

02JAWS_WARRANT.DEKX..10.ECHO#02819.RJ.CW.SO.ADM1

'HIT DIRECT ' IW.N.MALLET,MICHAEL.Y.19660822....

WARRANT SUMMARY

03/18/2016 15:25

WRNT-NBR: 04-186657-3-001 TYPE: ARRE - FELONY STATUS: ACTIVE

WRNT-ISSUED-DATE: 03/17/2016 CONTROL-NBR: 162022

BAIL: 1150000.00 HELD BY: CA0070000 PHY-WRNT: N ==>> CAUTION:

NAME: MALLET MICHAEL LEE 08/22/1966 M W 508 165 BRO BRO

OLN: CA SSN: CCIN: SID: A25490791

AKAS: TTL-AKA'S: 0

ADDR: RESID 2700 HOFFMAN LN DISCOVERY BA CA 94514-0000

REAS-ISS: ARREST-FELONY COURT: 07465 JUDGE: TJC

CHGS: PC 288(a) F PC 288(a) F PC 288(a) F

ORI: CA0070000 CASE-NBR: 16-1736 RPT-DATE: 02/05/2016 LOUIS AGY 020

NGT-SVC?: Y INST: CITE-REL? N BAIL-FORF?: N

MANDATORY APPEARANCE.

*****<===== END OF WARRANT INQUIRY REPORTING =====>*****

CONTRA COSTA COUNTY
Office of the Sheriff



DAVID O. LIVINGSTON
Sheriff – Coroner

Michael V. Casten
Undersheriff

Unusual Incident Report

Incident Type: Warrant service / Barricaded subject		DR #: 16-4105
Location: 2700 Hoffman Ln, Byron		
Date: 3-17-16	Time: 2206	Protocol Invoked: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Station Commander Notified? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Officer of the Day Notified? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Facility Commander Notified? Yes <input type="checkbox"/> No <input type="checkbox"/>		On-Call O.O.D Notified? Yes <input type="checkbox"/> No <input type="checkbox"/>
Date: 3-18-16	Time: 0234	Manager Responded? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Time of Dispatch		Time of Arrival
Patrol:		Patrol:
Investigations:		Investigations:
Crime Lab:		Crime Lab:
Department Involvement (Personnel/Divisions): Deputies MacLennan, Barckley, Durrer, Singleton, McDevitt, Dombrowski, Allain, Pliler Sgt Gackowski, Sgt Briggs, Lt Vannoy...HNT Lt Beltran, Sgt Muse, Sgt Klawuhn, Sgt Rivera Deputies Collier, Hunter		
Other Agencies: AMR,		
Suspect Info: Michael Mallett, DOB 8-22-66		
Custody Status / Charges: Not in custody / \$1150000.00 warrant for 3 counts PC 288(a)		
Victim Info:		
Additional Information: On 3-17-16 at about 2206 hrs, Delta station Deputies attempted to serve an arrest warrant on S-Mallett at his residence. Mallett retreated to his bedroom, obtained a handgun and barricaded himself in his room. Four other occupants were evacuated from the residence along with two more people in a separate guest house without incident. Deputies set up a secure perimeter. Hostage negotiations team arrived and attempted to gain compliance. Mallett made further attempts to conceal himself and refused to communicate with HNT. SWAT was called out at 0300 hrs. Incident command post was set up at Excelsior middle school. The mobile command vehicle responded. As of the writing of this UIR, the incident is on going and there has been no media inquiries.		
Use of Force: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		By: Lieutenant Chris Vannoy
		Date & Time E-mailed: 3-18-16 / 0330

OFFICE OF THE SHERIFF
Contra Costa County

Internal Affairs
651 Pine Street, 11th Floor
Martinez, California 94553
(925) 335-1531



DAVID O. LIVINGSTON
Sheriff-Coroner

Michael V. Casten
Undersheriff

Date: March 18, 2016

To: **DAVID O. LIVINGSTON, Sheriff**
Via: Michael V. Casten, Undersheriff

From: **Brian Vanderlind, Lieutenant, Internal Affairs**
By: David Hall, Sergeant, Internal Affairs

Subject: **Executive Summary – Administrative Inquiry - I.A. # 2016-018**

CONFIDENTIAL

SUMMARY

The following is an account of this officer involved shooting based upon preliminary information as provided by the involved parties.

On March 17, 2016, at approximately 2206 hours, Delta Station Deputies responded to 2700 Hoffman Ln., in Byron in an attempt to serve a felony arrest warrant. The deputies were looking for Michael Mallett, (DOB 8/22/1966) who had a warrant for his arrest for multiple counts of PC 288(a) with a \$1,150,000.00 bail.

At 2227 hours deputies approached the residence and attempted to locate Mr. Mallett. Upon the deputies' arrival, Mr. Mallett barricaded himself in a bedroom, and had reportedly armed himself with a handgun. Four individuals from inside the home were evacuated, as well as two occupants of a guest home on the property. During the evacuation, Mallett's sister-in-law advised patrol deputies that Mallett insinuated he would hurt himself if the police entered the residence.

Additional units responded to the scene and a perimeter was established. Patrol units were able to gain visual of Mr. Mallett inside the home and saw him holding a handgun. Members of the Hostage Negotiations Team (HNT) responded, and at first were unsuccessful in their attempt to establish contact with Mallett. At approximately 0300 hours, a call out of the Sheriff's Special Weapons and Tactics Team (SWAT) was made and an Incident Command Post was set up at nearby Excelsior Middle School.

HNT eventually established contact with Mr. Mallett and negotiations lasted for several hours. Mr. Mallett refused to drop the gun and made statements he would not go back to jail, and would not put down the gun if tactical personnel entered the residence. Ultimately, negotiations stalled and members of HNT lost all contact with Mr. Mallett.

SWAT personnel deployed several distraction devices, including tactical gas and the HNT made announcements with the Long Range Acoustic Device (LRAD) in an attempt to get Mr. Mallett to surrender, but with no effect.

At approximately 0938 hours, Mr. Mallett exited the residence through a first floor window, still carrying the gun in his hand. Mr. Mallett raised the gun toward SWAT personnel and they were forced to fire at him, striking Mr. Mallett several times. Tactical units immediately began life saving measures on Mr. Mallett and continued until they were relieved by staff from Fire and AMR. At approximately 1014 hours, Mr. Mallett was pronounced deceased at the scene.

No Office of the Sheriff employees were injured as a result of this incident.

SWAT Commander Lieutenant Beltran invoked the Officer-Involved Fatal Incident Protocol.

SWAT Team Members Sergeant Johnson, Sergeant Welch and Deputy A. Rossi were sequestered at the Field Operations Building.

Decedent's information

Michael Lee Mallett
2700 Hoffman Ln
Byron, CA 94514
DOB: [REDACTED]

INVESTIGATION

The following Contra Costa County personnel responded pursuant to the Protocol:

Office of the Sheriff

Captain D. Hofmann
Lieutenant B. Vanderlind
Sergeant M. Brown
Sergeant M. Andaya
Sergeant S. Valkanoff
Sergeant D. Hall
Det. C. Busch
Det. T. Norvell

Det. T. Young
Det. C. Frazier
Det. Holland
Det. D. Sosa
Det. E. Steele

Office of the District Attorney

D.D.A. B. Grove
Senior Inspector J. Morris
Senior Inspector D. Holcolm
Senior Inspector D. Medina
Senior Inspector Ross
Inspector Trujillo
Inspector Young

Inspector McLaughlin
Inspector Alexander
Inspector Menchaca
Inspector Wedemeyer
Inspector Van Kohl

Employee Representation

Jonathan Murphy from the Law Offices of Rains, Lucia & Stern
Tim Allen and Dave Cushman from Contra Costa County Deputy Sheriff's Association

REPORTS

Office of the Sheriff	16-4105
Office of the District Attorney	
Internal Affairs	2016-018

HONOR

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TEAMWORK

Detailed History for Police Incident #P160771224 As of 3/18/2016 10:19:48

Output for: 61762

Priority:3 Type:C6 - OUT INVESTIGATE

Location:2700 HOFFMAN LN, BYR btwn MARSH CREEK RD and BYRON HW

Map:637C2

Created:	03/17/2016 22:06:12	SC33	START001
Entered:	03/17/2016 22:06:12	SC33	START001
Dispatch:	03/17/2016 22:06:12	SC33	START001
Enroute:	03/17/2016 22:06:12	SC33	START001
Onscene:	03/17/2016 22:06:12	SC33	START001
Control:	03/18/2016 10:05:39	HQ01	64159
Transprt:	03/18/2016 06:09:29	SC36	60342
Complete:	03/18/2016 06:16:28	SC33	49198

ICUnit: PrimeUnit:1042 Dispo: Type:C6 - OUT INVESTIGATE

Agency:SP DAREA:SWT(DEL) Beat:32 RD:2052

Case #:SP160004105 ☐ Detail

22:06:12 CREATE Location:2700 HOFFMAN LN, BYR Type:C6 DAREA:DEL RD:2052 Description:OUT INVESTIGATE LocDesc:btwn MARSH CREEK RD and BYRON HW Priority:3 Response:1PAT Agency:SP Map:637C2 LocType:S

22:06:12 ENTRY

22:06:12 DISPOS 1Z31 Location:2700 HOFFMAN LN, BYR Operator:BBARC001 56156 OperNames:BARCKLEY,BRENDAN; MACLENNAN,RYAN

22:06:12 DISPOS 1Y32 Location:2700 HOFFMAN LN, BYR Operator:64778 OperNames:DURRER,ROBERT

22:06:12 DISPOS 1Y31 Location:2700 HOFFMAN LN, BYR Operator:63646 OperNames:SINGLETON,OTIS

22:06:12 DISPOS 1Z32 Location:2700 HOFFMAN LN, BYR Operator:60625 OperNames:MCDEVITT,BRIAN

22:06:12 DISPOS 1Z33 Location:2700 HOFFMAN LN, BYR Operator:76155 OperNames:DOMBROUSKI,JOSHUA

22:06:12 -PRIU 1Z31

22:06:12 -PREMIS Comment:PPR

22:06:27 MISCN 1Z31 Comment:****NOT FOR BROADCAST****

22:06:39 PRIOR Location:2700 HOFFMAN LN, BYR

22:07:15 CHGLOC 1Z31 1Y31 1Y32 1Z32 1Z33

22:26:06 ONSCN 1Z31

22:26:11 MISCN 1Z31 Comment:C33

22:26:29 ONSCN 1Y31 1Y32 1Z32 1Z33

22:27:37 MISCN Comment:UNK UNIT ADVISED MAKING CONTACT AT THE FRONT DOOR

22:28:23 MISCN Comment:UNK UNIT ADVISED SUBJ HAS A GUN IN HIS HAND

22:28:29 BACKUP 1W30 UnitID:1Y32 Location:2700 HOFFMAN LN, BYR Operator:65940 OperNames:GACKOWSKI,JONATHAN

22:28:33 ONSCN 1W30

22:28:42 *BACKER 22Y1 UnitID:1Z31 Location:2700 HOFFMAN LN, BYR Operator:61462 OperNames:FABEL,BRIAN

22:28:41 *BACKER 1P38 UnitID:1Y32 Location:2700 HOFFMAN LN, BYR Operator:63490 OperNames:ALLAIN,DAVID

22:28:43 *RFT 22Y1 Comment:INQUIRY MOBAE,1Z31

22:29:01 *BACKER 1P39 UnitID:1Z31 Location:2700 HOFFMAN LN, BYR Operator:78130 OperNames:SEVERS,ZEKE

22:29:33 *CLEAR 22Y1

22:29:49 PRIOR Location:2700 HOFFMAN LN, BYR PremType:PPR
 22:30:47 MISCN 1W30 Comment:MAKING A PHONE CALL INSIDE NOW
 22:32:22 PRIOR Location:2700 HOFFMAN LN, BYR PremType:PPR
 22:32:47 *ONSCN 1P39
 22:33:37 PRIOR Location:2700 HOFFMAN LN, BYR
 22:35:05 MISCN 1W30 Comment:STAGE AN AMB AND NEED K9
 22:35:21 *BACKER 1V14 UnitID:1W30 Location:2700 HOFFMAN LN, BYR Operator:52699
 OperNames:VANNOY,CHRIS
 22:35:50 MISCN Comment:1039 F/A
 22:38:19 XREF Service:P Incident:#P160771261 Type:K9 Agency:SP
 22:40:13 *ONSCN 1P38
 22:42:55 MISCN Comment:LARGE DOG IN THE BEDROOM WITH THE SUBJ
 22:49:40 PRIOR Location:2700 HOFFMAN LN, BYR
 22:51:38 MISCN Comment:UNK UNIT ADV FEM AND TWO KIDS COMING TO THE DOOR
 22:53:52 MISCN Comment:UNK UNIT ADVISED THE SISTER IN LAW SAID HE INSINUATED HE
 WOULD HURT HIMSELF IF THE POLICE CAME IN...HES ALONE IN THERE OTHER
 THAN THREE DOGS
 22:57:15 PRIOR Location:2700 HOFFMAN LN, BYR
 22:59:02 LOGM Message:991603180559010075 MessageType:Text Received:03/17/2016 22:58:09
 Comment:JAWS HIT MALLETT
 22:59:14 LOGM Message:991603180559010076 MessageType:Text Received:03/17/2016 22:59:01
 Comment:CDL HIT MALLETT
 22:59:49 LOGM Message:991603180559010108 MessageType:Text Received:03/17/2016 22:59:21 Comment:AFS
 HIT
 23:04:33 *ONSCN 1V14
 23:06:06 MISCN 1W30 Comment:START AIR SUPPORT
 23:09:17 MISCN Comment:LOG 4387 FOR CHP WILL CALL BACK
 23:11:24 MISC Comment:CHP HELO UNAVAIL - BUT IF THE SUBJ RUNS CALL CHP BACK
 23:13:22 MISCN Comment:UNK UNIT ADVISED LIGHTS IN KITCHEN WENT ON
 23:19:24 *BACKOS 1W33 UnitID:1W30 Location:2700 HOFFMAN LN, BYR Operator:66446
 OperNames:BRIGGS,KEVIN
 23:20:06 MISCN Comment:UNK UNIT ADVISED MORE PA ANNOUNCEMENTS ABOUT TO BE MADE
 23:22:22 MISCN Comment:UNK UNIT ADVD SUBJ IN THE BACK ROOM WITH A GUN
 23:22:40 MISCN Comment:BLK HANDGUN IN RIGHT HAND
 23:22:52 MISCN Comment:CONFIRE ADV'G THEY ARE STAGED
 23:28:56 MISCN 1W30 Comment:WIFE GOT A TEXT FROM THE SUBJ SAYING HE WAS SORRY HE PUT
 HER THRU THIS PLS FORGIVE ME
 23:37:33 BACKER 1P2 UnitID:1W33 Location:2700 HOFFMAN LN, BYR Operator:76157
 OperNames:HUNTER,KRISTINE
 [03/18/2016]
 00:00:52 *RFT 1W33 Comment:INQUIRY MQW,,MALLETT,MICHAEL,M,,,,
 00:00:52 *RFT 1W33 Comment:INQUIRY Q,MALLETT,MICHAEL,M,,,,,,,,,
 00:03:36 BACKER 1O42 UnitID:1Z32 Location:2700 HOFFMAN LN, BYR Operator:69055
 OperNames:MUSE,DOUGLAS
 00:05:22 MISCN 1V14 Comment:COMMAND POST IS BYRON HW/HOFFMAN LN
 00:05:33 BACKER 1O37 UnitID:1Z32 Location:2700 HOFFMAN LN, BYR Operator:66250
 OperNames:METH,MICHAEL
 00:07:46 SCDOFF 1P2
 00:07:53 CLEAR 1P2
 00:08:50 BACKER 1O47 UnitID:1O42 Location:2700 HOFFMAN LN, BYR Operator:76157
 OperNames:HUNTER,KRISTINE
 00:09:49 BACKER 1O41 UnitID:1O37 Location:2700 HOFFMAN LN, BYR Operator:61124
 OperNames:RIVERA,JOSE
 00:11:16 ONSCN 1O42
 00:11:49 CLOS 1O42 Location:BYRON HW/HOFFMAN LN, BYR

00:14:35 MISCN [1W30](#) Comment:SUBJ IS IN MASTER BATHROOM ON LOWER FLOOR, ATTEMPTING TO COVER ONE OF THE WINDOWS WITH A TOWEL

00:15:38 BACKER [1W7](#) UnitID:1W33 Location:2700 HOFFMAN LN, BYR Operator:62366
OperNames:BELTRAN,JOSE

00:16:20 BACKUP [1O40](#) UnitID:1O41 Location:2700 HOFFMAN LN, BYR Operator:65055
OperNames:KLAWUHN,MELISSA

00:16:34 ENRTE [1O40](#)

00:27:28 MISCN Comment:FIRE REQ ANY UPDATE - WERE TOLD TO KEEP STAGING

00:28:12 *MISCN [1W33](#) Comment:1W33, ONGOING PA ANNOUNCEMENTS FROM FRONT AND REAR

00:28:49 BACKER [1O43](#) UnitID:1O40 Location:2700 HOFFMAN LN, BYR Operator:76825
OperNames:COLLIER,DALLAS

00:29:13 CLEAR [1O37](#)

00:46:02 BACKER [1O61](#) UnitID:1Z32 Location:2700 HOFFMAN LN, BYR Operator:63757
OperNames:WILLIAMS,JAMIE Comment:LEAVING FOB IN MOBILE COMMAND VEH

00:46:02 BACKER [1O46](#) UnitID:1Z32 Location:2700 HOFFMAN LN, BYR Operator:73447
OperNames:PARRISH,MICHAEL Comment:LEAVING FOB IN MOBILE COMMAND VEH

01:02:51 ONSCN [1O43](#)

01:09:23 ONSCN [1O40](#)

01:09:57 ONSCN [1W7](#)

01:10:41 MISCN [1Z32](#) Comment:HEARING BANGING IN THE CRAWL SPACE ABOVE THE KITCHEN AREA

01:11:18 MISCN Comment:UNK UNIT BEARCAT IS 97

01:14:30 MISCN [1O42](#) Comment:GET ETA ON BLACK BEAUTY?

01:14:35 MISCN [1V14](#) Comment:EXCELSIOR MIDDLE SCHOOL PLOT COMMAND POST INSTEAD OF STAGING AT BYRON HWY/HOFFMAN

01:14:47 MISCN [1O61](#) Comment:WE'RE 4/HILLCREST

01:25:53 MISCN [1O41](#) Comment:ATTEMPTING TO MAKE CONTACT.

01:25:58 ONSCN [1O41](#)

01:26:13 ONSCN [1O46](#) [1O47](#) [1O61](#)

01:32:35 MISCN [1O41](#) Comment:SUBJ PICKING UP AND HANGING UP AND NOW GOING TO STRAIGHT TO VM

01:33:07 MISCN Comment:UNK UNIT ADV'G CONTINUING TO MAKE PA ANNOUNCEMENTS FROM REAR

01:38:45 MISCN [1O41](#) Comment:PHONE CALL GOING STRAIGHT TO VM

01:41:41 ONSCN [1O46](#) [1O61](#)

01:46:40 MISCN [1W7](#) Comment:BEARCAT DRIVER AT THE LOC ATTEMPTING TO MAKE CONTACT

01:57:30 MISCN [1O42](#) Comment:STARTING OVERHEAD ANNOUNCEMENTS

01:58:54 MISCN [1O42](#) Comment:**CORRECTION-STARTING LRAD ANNOUNCEMENTS

02:00:52 MISCN Comment:LRAD ANNOUNCEMENTS CAN BE HEARD AT THE FRONT

02:07:45 MISCN [1O40](#) Comment:ATTEMPTING TO CALL AGAIN

02:08:02 MISCN [1O40](#) Comment:WENT TO VM

02:18:05 MISCN [1Z33](#) Comment:SUBJ COVERING THE BATHROOM IN THE BACK, LOWER FLOOR

02:20:36 MISCN Comment:SUBJ ATTEMPTING TO COVER THE SMALL BATHROOM WINDOW AGAIN

02:27:47 MISCN Comment:SUBJ TURNING ON INTERIOR LIGHTS

02:40:49 CASE Case#:SP160004105

02:49:53 PRIOR Location:2700 HOFFMAN LN, BYR

02:50:38 PRIOR Location:2700 HOFFMAN LN, BYR

02:58:14 PRMPT [1W7](#)

02:58:53 BACKOS [1O1](#) UnitID:1O40 Location:2700 HOFFMAN LN, BYR Operator:62366
OperNames:BELTRAN,JOSE

03:00:01 MISCN Comment:MOVEMENT IN THE BATHROOM WINDOW

03:00:35 MISCN [1O1](#) Comment:FULL TEAM CALL OUT

03:05:38 BACKER [1O6](#) UnitID:1O42 Location:BYRON HW/HOFFMAN LN, BYR Operator:52875
OperNames:KOHLMAIER,MARK

03:05:55 CHGLOC [1O6](#) Location:2700 HOFFMAN LN, BYR

03:09:09 BACKOS [1O27](#) UnitID:1O1 Location:2700 HOFFMAN LN, BYR Operator:65812 65812K
OperNames:PLILER,SCOTT; ARGO

03:09:17 BACKER [1O34](#) UnitID:1P39 Location:2700 HOFFMAN LN, BYR Operator:70614
OperNames:RYAN,DONALD

03:09:17 BACKER [1O35](#) UnitID:1P39 Location:2700 HOFFMAN LN, BYR Operator:70621
OperNames:FITZGERALD,BRIAN

03:09:26 CHGLOC [1O34](#) [1O35](#) Location:SO FOB FIELD OPERATIONS, MAR

03:11:02 COMBIN Service:P Incident:#P160771261 Type:K9 Agency:SP

03:14:18 BACKER [1O3](#) UnitID:1O6 Location:2700 HOFFMAN LN, BYR Operator:46503
OperNames:BEARD,PAUL

03:27:21 BACKER [1O32](#) UnitID:1W30 Location:2700 HOFFMAN LN, BYR Operator:54958
OperNames:HOEKWATER,RONALD

03:29:56 BACKER [1O8](#) UnitID:1W30 Location:2700 HOFFMAN LN, BYR Operator:68239
OperNames:WELCH,SHAWN

03:30:01 CHGLOC [1O8](#) Location:SO FOB FIELD OPERATIONS, MAR

03:37:35 BACKER [1O22](#) UnitID:1O27 Location:2700 HOFFMAN LN, BYR Operator:66375
OperNames:HADLEY,DALE

03:37:40 MISCN [1O22](#) Comment:ENR C3

03:38:19 BACKOS [1O9](#) UnitID:1O8 Location:SO FOB FIELD OPERATIONS, MAR Operator:65945
OperNames:INGRASSIA,JASON

03:41:26 ONSCN [1O3](#)

03:42:06 MISCN [1O1](#) Comment:HAVE RESP'G UNITS TO MCV HOFFMAN LN/BYRON HWY

03:42:14 BACKOS [1W1](#) UnitID:1O1 Location:2700 HOFFMAN LN, BYR Operator:55983
OperNames:HOFFMAN,DANIEL

03:43:26 BACKER [1O36](#) UnitID:1W30 Location:2700 HOFFMAN LN, BYR Operator:72340
OperNames:MORRIS,KEVIN

03:43:39 CHGLOC [1O36](#) Location:14301 BYRON HW, BYR

03:44:02 MISCN [1O3](#) Comment:97 CP

03:50:35 MISCN [1O40](#) Comment:MADE CALL TO THE CP - IT RANG. HE ANSWERED, HUNG UP AND
NOW GOES TO VM.

03:53:06 MISCN [1V14](#) Comment:NEED CHP FOR TRAFFIC CONTROL AT THE OTHER END OF
HOFFMAN/MARSH CREEK. WILL RELIEVE CHP WHEN SWAT TAKES OVER

03:53:55 ONSCN [1O34](#) [1O35](#)

03:54:05 ONSCN [1O36](#)

03:55:07 MISCN Comment:CHP ADVD LOG 448

03:57:49 MISCN [1O40](#) Comment:STILL ATT'G 1021 STILL GOING TO VM

03:59:55 ONSCN [1O36](#) [1O61](#)

04:04:04 ONSCN [1O6](#)

04:04:48 BACKER [1O24](#) UnitID:1O8 Location:SO FOB FIELD OPERATIONS, MAR Operator:72359
OperNames:RODRIGUEZ,MARK

04:06:22 SCDOFF [1Y32](#)

04:06:48 BACKOS [1O19](#) UnitID:1Z32 Location:2700 HOFFMAN LN, BYR Operator:64778
OperNames:DURRER,ROBERT

04:06:53 CLEAR [1Y32](#)

04:08:26 MISCN Comment:UNK UNIT - I SEE THE SUBJ IN THE WINDOW

04:08:58 MISCN [1W30](#) Comment:SUBJECT CAME INTO THE BEDROOM THEN WENT BACK

04:09:16 MISCN Comment:UNK UNIT SUBJ BACK IN THE ROOM, GRABBING SOMETHING. LOOKS
LIKE BOARDS OR SOMETHING

04:14:04 MISCN Comment:CHP ETA 3 MINS OUT

04:15:31 MISCN Comment:UNK UNIT ADVD GRABING BLANKETS AND PILLOWS

04:17:16 MISCN Comment:MOVEMENT FROM THE BATHROOM WINDOW POSS USING A BLANKET
TO TRY TO COVER IT UP

04:17:49 MISCN [1V14](#) Comment:FIRE AND AMR ARE CURRENTLY STAGED AT EXCELSIOR MIDDLE
SCHOOL, CONT THEM AND HAVE THEM STAGE AT MARSH AND HOFFMAN

04:18:26 MISCN [1O8](#) Comment:MOVERS ENR

04:18:52 ONSCN [1O22](#)

04:18:53 MISCN [Comment:1039 CONFIRE WITH UPDATE](#)
04:19:24 CHGLOC [108](#)
04:29:15 MISCN [Comment:PER CHP-HOFFMAN LANE AT MARSH CREEK BLK'D AND SHUT DOWN](#)
04:31:16 BACKER [1012](#) [UnitID:106](#) [Location:2700 HOFFMAN LN, BYR](#) [Operator:73504](#)
[OperNames:RHOE,KATIE](#)
04:32:13 MISCN [1041](#) [Comment:WE HAVE HIM ON THE LINE](#)
04:32:37 MISCN [1041](#) [Comment:HE'S SAYING HE'S NOT GOING BACK TO JAIL](#)
04:34:38 BACKER [105](#) [UnitID:1W30](#) [Location:2700 HOFFMAN LN, BYR](#) [Operator:60608](#)
[OperNames:JOHNSON,MARK](#)
04:40:31 MISC [Comment:CONFIRE BATTALION CHIEF REQ 21 RE THIS INCIDENT 925/584-8468](#)
04:44:35 ONSCN [108](#)
04:44:46 MISCN [1041](#) [Comment:WE'RE OFF THE LINE3](#)
04:44:59 CLOS [109](#)
04:47:25 BACKER [1016](#) [UnitID:1W30](#) [Location:2700 HOFFMAN LN, BYR](#) [Operator:71165](#)
[OperNames:KIRKHAM,JONATHAN](#)
04:47:25 BACKER [1049](#) [UnitID:1W30](#) [Location:2700 HOFFMAN LN, BYR](#) [Operator:50977](#)
[OperNames:LANG,JAMES](#)
04:50:12 *RI [1016](#)
04:51:13 *ONSCN [1012](#)
04:55:10 MISC [Comment:NEED ANIMAL CONTROL TO RESPOND FOR 3 LARGE MASTIFF'S, RESPOND TO EXCELSIOR SCHOOL CP. REQ ETA](#)
04:55:39 MISCN [103](#) [Comment:ENR W/ THE DM ELEMENT - WILL BE IN WHI PU TRK](#)
04:56:44 MISCN [1040](#) [Comment:ATT'G TO CALL IN AGAIN](#)
04:56:53 MISCN [1040](#) [Comment:IT'S GOING TO VM](#)
05:00:49 MISCN [Comment:1039 AC](#)
05:03:09 XREF [Service:F Incident:#F160780001 Type:AC Agency:CF](#)
05:05:06 MISC [Comment:31Z60 ADVISING A SUPERVISOR IS NEEDED TO RESPOND WITH HIM TO MAKE ENTRY WITH DEPUTIES, OTHERWISE HE CAN STAGE OUTSIDE THE RESD UNTIL INSTRUCTED TO GO IN.](#)
05:05:15 MISCN [1041](#) [Comment:GOING TO VM](#)
05:06:36 PRIOR [Location:2700 HOFFMAN LN, BYR](#) [PremType:PPR](#)
05:08:57 *ONSCN [1016](#)
05:09:04 *BACKER [1V15](#) [UnitID:1V14](#) [Location:2700 HOFFMAN LN, BYR](#) [Operator:55425](#)
[OperNames:ENGLAND,TRICIA](#)
05:09:01 MISCN [1041](#) [Comment:WE'RE BACK ON LINE](#)
05:11:05 MISCN [1041](#) [Comment:WE'RE OFF LINE](#)
05:13:34 MISCN [103](#) [Comment:MYSELF AND 1036 WILL BE DM4 AT 70 YARDS - CLOSE PROXIMITY TO THE BEARCAT](#)
05:15:09 BACKOS [1037](#) [UnitID:1Z31](#) [Location:2700 HOFFMAN LN, BYR](#) [Operator:66250](#)
[OperNames:METH,MICHAEL](#)
05:15:22 MISCN [1037](#) [Comment:MYSELF AND 1032 WILL BE THE 2-3 SIDE AT 37 YARDS](#)
05:17:37 MISCN [106](#) [Comment:CTC TO 103 - WE'RE MOVING](#)
05:20:25 MISCN [1041](#) [Comment:BACK ON LINE](#)
05:23:55 CLOS [1035](#) [Location:2700 HOFFMAN LN, BYR](#)
05:23:58 MISCN [1034](#) [Comment:MYSELF AND 1035 WILL BE DM'S 1 AND 2 ON THE 1-2 CORNER AT ABOUT 45 YARDS](#)
05:23:59 CLOS [1034](#) [Location:2700 HOFFMAN LN, BYR](#)
05:27:30 MISCN [103](#) [Comment:CTC ANOTHER VEH APPROACHING](#)
05:30:03 *CLEAR [1V15](#)
05:33:21 MISCN [1041](#) [Comment:WE'RE OFF LINE](#)
05:38:00 MISCN [Comment:109 TO 106 - NEED A COUPLE PEOPLE TO THE PATROL CAR ON THE 4 SIDE](#)
05:38:28 *PRIOR [Location:2700 HOFFMAN LN, BYR](#)
05:39:18 MISC [Comment:ANIMAL CONTROL ETA 30 MINUTES](#)
05:40:35 *PRMISE [Location:2700 HOFFMAN LN, BYR](#)

05:42:28 MISCN [103](#) Comment:MOVING THE BEARCAT TO GET A CLOSER LOOK AT THE 4 SIDE
05:42:28 MISCN [1041](#) Comment:BACK ON LINE
05:45:11 ONSCN [105](#) [1024](#) [1032](#) [1049](#)
05:46:35 MISCN [103](#) Comment:DESC OF 4 SIDE - ADAM LEVEL HAS #1 AND #2 OPENINGS BOTH SM WINDOWS//BOY LEVEL HAS 5 OPENINGS, NUMBER 2 IS A DOORWAY
05:47:19 MISCN Comment:PER UNIT ON THE 4 SIDE IT'S A SLIGHTLY OPEN GLASS DOOR
05:51:24 CONTCT [1Z31](#) [101](#) [103](#) [105](#) [106](#) [108](#) [109](#) [1012](#) [1016](#) [1019](#) Contact:0
05:51:24 CONTCT [1022](#) [1024](#) [1027](#) [1032](#) [1034](#) [1035](#) [1036](#) [1037](#) [1040](#) [1041](#) Contact:0
05:51:24 CONTCT [1042](#) [1043](#) [1046](#) [1047](#) [1049](#) [1061](#) [1P38](#) [1P39](#) [1V14](#) [1W1](#) Contact:0
05:51:24 CONTCT [1W30](#) [1W33](#) [1Y31](#) [1Z32](#) [1Z33](#) Contact:0
05:54:13 MISCN [1032](#) Comment:3 OCLOCK SIDE--2 LEVEL A 1 A2 A3 WINDOWS B LEVEL A 1 WINDOW A2 WINDOW A 3 WINDOW A 4 AND 5 GARAGE WINDOW
05:54:15 MISCN [1032](#) Comment:2 LEVELS A1 LEVEL: 1 2 AND 3 ALL WINDOWS.ON THE B LEVEL A1 IS A WINDOW A2 IS WINDOW A3 IS A DOOR. A4 A5 ARE BOTH WINDOW AND GARAGE WINDOWS
05:54:25 MISCN [1041](#) Comment:WE'RE OFFLINE
05:57:54 MISCN [1034](#) Comment:SIDE 2 DESCRIP: 2FLOORS: A FLOOR: 3 WINDOWS OPENINGS, EAST SIDE 6 OPENING AND THE 2ND OPENING WILL BE FRONT DOOR
05:59:02 MISCN [1035](#) Comment:DESCRIP FOR #1 SIDE: A1-4 WINDOWS. AND B 1-6 ALSO WINDOWS
06:00:05 *BACKER [1X33](#) UnitID:1Z33 Location:2700 HOFFMAN LN, BYR Operator:70577
OperNames:SCANLAN,JON
06:02:14 MISCN [103](#) Comment:SWITCHED OVER
06:03:09 BACKOS [102](#) UnitID:101 Location:2700 HOFFMAN LN, BYR Operator:61961
OperNames:SHIELDS,ALLAN
06:03:21 PRIOR Location:2700 HOFFMAN LN, BYR
06:03:47 PRIOR Location:2700 HOFFMAN LN, BYR PremType:PPR
06:03:48 PRIOR Location:2700 HOFFMAN LN, BYR
06:04:02 *BACKER [1X32](#) UnitID:1W30 Location:2700 HOFFMAN LN, BYR Operator:55485
OperNames:PARENTI,MATTHIAS
06:04:23 REDIR DAREA:DEL-->SWT
06:05:34 MISCN [1061](#) Comment:4 SIDE
06:05:40 MISCN [1042](#) Comment:4 SIDE
06:07:24 *BACKOS [1V15](#) UnitID:1V14 Location:2700 HOFFMAN LN, BYR Operator:55425
OperNames:ENGLAND,TRICIA
06:07:56 MISCN Comment:CTC WANT TO LIGHT IT UP ON THE 3-4 SIDE
06:07:59 PRMPT [1X32](#) Comment:Preempted and dispatched to call #P160780019
06:08:15 MISCN Comment:CTC NEG IT HAS TO BE MORE DIRECT
06:08:21 CONTCT [102](#) Contact:0
06:08:56 MISCN [1040](#) Comment:WE'RE CLG THE SUSP AND HE'S NOT ANSWG THE PHONE
06:09:22 MISCN [1V14](#) Comment:SWAT JUST SWITCHED OVER TO THEIR OWN CHANNEL, CANCEL THE C33
06:09:29 TRANSP [1Z31](#) Location:SO DELTA STATION HOUSE, OAK Comment:1148 W/3 SGT IS AWARE
06:10:21 *BACKER [1X32](#) UnitID:1W30 Location:2700 HOFFMAN LN, BYR Operator:55485
OperNames:PARENTI,MATTHIAS
06:12:05 MISCN [108](#) Comment:GOING TO BE MOVING TO THE 4 SIDE TO DELIVER GAS TO THE 40
06:12:21 MISCN Comment:CTC THE DOORS WE WERE JUST TALKING ABOUT, IS THAT THE DOOR HE CAME OUT OF?
06:12:46 MISCN Comment:CTC AFFIRM THE FRENCH DOORS
06:12:59 MISCN Comment:CTCDOING THEY OPEN OUT OR IN?
06:13:12 MISCN Comment:CTC THEY OPEN OUT
06:13:53 *ONSCN [1X33](#)
06:14:13 PRMPT [1P39](#) Comment:Preempted and dispatched to call type: 7S
06:14:43 PRMPT [1Y31](#) Comment:Preempted and dispatched to call type: 7S
06:14:46 MISCN Comment:CTC I WILL BE WITH ROSSI, I HAVE THE 40 AND THE GAS
06:15:14 MISCN Comment:CTC WHEN U DEPLOY THE GAS DO YOU ANTICIPATE HIM COMING OUT

THE 3 OR THE 4 SIDE

06:15:37 MISCN [Comment](#):CTC SOUNDS LIKE HE WILL COME OUT THE FRENCH DOORS TO THE MASTER BEDROOM

06:16:28 CMPLT [1Z31](#)

06:16:31 CHGLOC [1Z31](#) [Location](#):SO DELTA STATION HOUSE, OAK

06:16:46 MISCN [1Z31](#) [Comment](#):** CANCEL MY XPORT, SHOW ME 10-19 INSTEAD **

06:16:56 MISCN [1O8](#) [Comment](#):1O5 WILL BE ON THE 4 SIDE OUTSIDE THE KITCHEN DOOR

06:17:31 MISCN [1O24](#) [Comment](#):WITH 1O27

06:18:20 MISCN [1O1](#) [Comment](#):TACTICAL TEAM AND DM TEAM HNT IS NOT ON THE LINE WITH THE SUBJ, LAST CONTACT WAS 15 MIN AGO

06:20:37 MISCN [1O61](#) [Comment](#):CHANGE LOCATION TO THE CP

06:20:43 MISCN [1O42](#) [Comment](#):CHANGE LOCATION TO THE CP

06:23:24 MISCN [1O1](#) [Comment](#):3 OCLOCK SIDE, CAN YOU TELL ME IF THERE IS CONCRETE OR PATIO OUTSIDE THE FRENCH DOORS

06:23:35 MISCN [1O19](#) [Comment](#):NO CONCRETE

06:24:09 MISCN [1O12](#) [Comment](#):SOLID DIRT

06:24:21 *CLEAR [1X32](#)

06:25:06 MISCN [1O3](#) [Comment](#):DM4 THERE IS SOME SORT OF LIGHT COMING ON B3

06:25:35 MISCN [1O9](#) [Comment](#):WE SEE IT AS WELL, LOOKED LIKE SOME SORT OF MOVEMENT, JUST SHADOWS

06:28:46 MISCN [Comment](#):DM1 CAN SEE THE LIGHT NO MOVEMENT

06:29:45 MISCN [1O9](#) [Comment](#):THAT LIGHT HAS TURNED OFF

06:33:40 MISCN [Comment](#):CTC IF HE COMES OUT THOSE FRENCH DOORS 3-4 SIDE WE MAY HAVE A POTENTIAL CROSS FIRE SITUATION

06:36:15 MISCN [1O40](#) [Comment](#):ATTEMPT TO SUBJ WENT TO VM

06:37:27 BACKER [1O45](#) [UnitID](#):1O1 [Location](#):2700 HOFFMAN LN, BYR [Operator](#):76689
[OperNames](#):HERNANDEZ-SOTELO, LANDY

06:38:11 MISCN [1O40](#) [Comment](#):ATTEMPTING AGAIN

06:38:16 MISCN [1O40](#) [Comment](#):ATTEMPT TO SUBJ WENT TO VM

06:39:20 *CLEAR [1V14](#)

06:39:45 MISCN [1O40](#) [Comment](#):ATTEMPTING TO CALL

06:40:00 MISCN [1O40](#) [Comment](#):VM

06:43:17 *CHGLOC [1X33](#) [Location](#):HOFFMAN LN/MARSH CREEK RD, BYR [Comment](#):ROAD CLOSURE, CELL 510-229-6248

06:47:16 MISCN [Comment](#):DM 3 ADV D FRENCH DOORS ON THE 3 SIDE AJAR 3 INCHES, DOG MAY BE ABLE TO COME OUT

06:47:36 MISCN [1V15](#) [Comment](#):NEED ON CALL OES FOR PORTA POTTYS AND WATER

06:47:53 MISCN [1O8](#) [Comment](#):CTC DOES THAT CHAIN LINK FENCE GO AROUND THE BACKYARD

06:48:24 MISCN [Comment](#):IT RUNS E W AND I OPEN WHERE 1O19 AND 1O27 ARE

06:48:53 MISCN [1O1](#) [Comment](#):PITTSBURG BEARCAT 15-20 OUT

06:49:17 MISCN [1O12](#) [Comment](#):IF WE CLOSE THE FENCE ON OUR SIDE THE DOGS WILL BE ENCLOSED IN A FENCE IN THE BACKYARD

06:49:33 MISCN [Comment](#):1V20 ADV D.. WILL BE 10-19 TO GET EQUIP

06:49:37 MISCN [1O40](#) [Comment](#):TRIED TO CALL, WENT STRAIGHT TO VM

06:53:08 MISCN [Comment](#):CTC DO YOU WNT ME TO TURN THESE LIGHTS OFF NOW?

06:57:28 MISCN [1O1](#) [Comment](#):NEED CONFIRMATION ON THE TACTICAL TEAM WHERE THE BLU TIPS AND GAS

06:57:30 MISCN [1O8](#) [Comment](#):I HAVE 3 BLU TIPS AND 4 FARRETS CF AND GAS

06:58:02 MISCN [1O1](#) [Comment](#):4 OCLOCK SIDE

06:58:10 MISCN [1O8](#) [Comment](#):ON THE 4 SIDE

06:58:34 MISCN [1O5](#) [Comment](#):1O5 AND 1O13 ON THE 4 OCLOCK SUDE

06:58:56 MISCN [1O1](#) [Comment](#):DURRER AND RHOE ON THE 3 OCLOCK SIDE

06:59:26 MISCN [1O6](#) [Comment](#):DURRER AND RHOE ON THE 3 OCLOCK SIDE

06:59:37 MISCN [1O6](#) [Comment](#):3 AND 1 ARE ONLY 8 FEET APART

07:00:44 CLOS [1O8](#) [Location](#):4 OCLOCK

07:01:14 CLOS [105](#) Location:4 OCLOCK
 07:01:34 BACKOS [1013](#) UnitID:103 Location:2700 HOFFMAN LN, BYR Operator:77793
 OperNames:ROSSI,ERICK
 07:01:36 CLOS [1013](#) Location:4 OCLOCK
 07:02:15 MISCN [105](#) Comment:DO WE HAVE A ROBOT AVAIL
 07:02:42 MISCN [101](#) Comment:1W30 IS GETTING THE ROBOT AND THE REMOTE AND THE AVATAR
 HE WILL BE ROLLING UP WITH THE PITT BEARCAT WHEN HE COMES IN
 07:03:01 CLOS [1019](#) Location:3 OCLOCK
 07:03:04 CLOS [1012](#) Location:3 OCLOCK
 07:07:20 XREF Service:P Incident:#P160780122 Type:OASST Agency:SP
 07:08:29 ONSCN [1045](#)
 07:12:05 BACKOS [104](#) UnitID:101 Location:2700 HOFFMAN LN, BYR Operator:60957
 OperNames:SCHULTZ,JEFFREY
 07:14:52 MISCN [101](#) Comment:CTC 1040 ANY UPDATE
 07:15:03 MISCN [1040](#) Comment:GOING TO VM
 07:18:32 MISCN [1040](#) Comment:ATTEMPTING A CALL
 07:19:34 MISCN [1040](#) Comment:VM
 07:25:00 CONTCT [1Z31](#) [101](#) [102](#) [103](#) [104](#) [105](#) [106](#) [108](#) [109](#) [1012](#) Contact:0
 07:25:00 CONTCT [1013](#) [1016](#) [1019](#) [1022](#) [1024](#) [1027](#) [1032](#) [1034](#) [1035](#) [1036](#) Contact:0
 07:25:00 CONTCT [1037](#) [1040](#) [1041](#) [1042](#) [1043](#) [1045](#) [1046](#) [1047](#) [1049](#) [1061](#) Contact:0
 07:25:00 CONTCT [1P38](#) [1V15](#) [1W1](#) [1W30](#) [1W33](#) [1X33](#) [1Z32](#) [1Z33](#) Contact:0
 07:28:25 MISCN Comment:BE ADVD I HAVE A FORD TRUCK COMING YOUR WAY
 07:29:06 PRMPT [1Z31](#) [1Z32](#) [1Z33](#)
 07:29:06 -PRIU [1W30](#)
 07:32:36 SCDOFF [1W33](#)
 07:32:39 CLEAR [1W33](#)
 07:34:12 PRMPT [1W30](#)
 07:34:12 -PRIU [1P38](#)
 07:35:03 BACKOS [107](#) UnitID:106 Location:2700 HOFFMAN LN, BYR Operator:65940
 OperNames:GACKOWSKI,JONATHAN
 07:35:12 CONTCT [107](#)
 07:39:28 MISCN [101](#) Comment:TACTICAL TEAM CTC, PITTSBURG OS, WE ARE BRIEFING THEM AND
 THEN THEY WILL BE ENR
 07:41:22 CONTCT [107](#) Contact:0
 07:46:26 MISCN [1040](#) Comment:STILL MAKING ATTEMPTS, THE ARE GOING TO VM
 07:52:02 MISCN [101](#) Comment:LOADING UP THE PITTSBURG ARMoured VEH AND ENR TO THE
 TARGET LOCATION
 07:57:19 ONSCN [1X33](#)
 08:00:55 CLOS [1061](#)
 08:01:00 CLOS [1042](#)
 08:01:09 MISCN [1061](#) Comment:TRYING TO MAKE CONTACT
 08:01:57 MISCN [1061](#) Comment:4 SIDE
 08:03:18 MISCN [1012](#) Comment:AFFIRM WE CANNOT HEAR THE ANNOUNCEMENTS ON THE 3 SIDE,
 08:03:27 MISCN [1061](#) Comment:I COPY
 08:07:54 MISCN [107](#) Comment:NEED PPI ANNOUNCE AND FRONT ANNOUNCEMENTS TO THE SUBJ
 08:08:01 MISCN [107](#) Comment:NO RESPONSE
 08:14:14 SCDOFF [1P38](#)
 08:14:40 PRMPT [1P38](#)
 08:14:40 -PRIU [1042](#)
 08:14:59 MISCN [101](#) Comment:CTC 106 DEPLOY 1 DEVICE
 08:16:31 MISCN [106](#) Comment:DEPLOYED
 08:16:45 MISCN [101](#) Comment:TEAM ON THE 4 SIDE DEPLOY A DEVICE
 08:16:59 MISCN [109](#) Comment:THERE IS AN ATV ON THE 3 OCLOCK SIDE
 08:17:17 MISCN [101](#) Comment:STAND BY SUSPECT IS ON THE LINE
 08:17:30 MISCN [101](#) Comment:HOLD OFF ON THE DEVICE , HE WANTS TO TALK TO HIS BROTHER

08:19:09 MISCN [1O32](#) Comment:GOT RID OF THE SUBJ ON THE ATV

08:20:52 BACKOS [1V20](#) UnitID:1V15 Location:2700 HOFFMAN LN, BYR Operator:62809
OperNames:BENAVIDES,ANTONIO

08:21:29 MISCN [1O40](#) Comment:HNT IS ON THE PHONE WITH HNT, HE SAID HE WANTS TO SPEAK TO HIS BROTHER, SAID HE IS NOT AFRAID TO DIE HAS THE GUN IN HIS HAND

08:22:19 MISCN [1O40](#) Comment:CORRECTION HNT IS ON THE PHONE WITH THE SUBJ

08:22:34 MISCN [1O40](#) Comment:SUBJ SAYING HE WILL NOT PUT THE GUN DOWN

08:22:57 MISCN [1O40](#) Comment:SAYING HE MAY KILL HIMSELF WITH THE GUN

08:24:13 CHGLOC [1V20](#)

08:25:54 MISCN [1O1](#) Comment:TACTICAL TEAM YOU HAVE A WHI PICK UP TRUCK 3 OCLOCK SIDE

08:26:07 MISCN [1O3](#) Comment:DM TRANSPORT VEH

08:29:54 MISCN [1O40](#) Comment:OFF THE PH

08:30:20 MISCN [1O1](#) Comment:HAVE HNT OS AT THE LOC START WITH LRACK

08:30:26 MISCN [1O61](#) Comment:COPY

08:30:48 MISCN [1O6](#) Comment:HAVE THE SUBJ AT 3 WINDOW ON 4 SIDE

08:31:05 MISCN [1O9](#) Comment:WALKED AWAY FROM WINDOW BACK TWD BATHROOM

08:31:21 MISCN [1O9](#) Comment:JUST CAME OUT OF A DOOR LOST VISUAL

08:31:59 MISCN [1O9](#) Comment:HES BACK IN ROOM

08:32:47 MISCN Comment:POSS 1O26 ADVG SUBJ POSS WENT BACK INTO BATHROOM.. ID NOT LOGGED ON .

08:34:11 MISCN [1O40](#) Comment:MULTIPLES CALLS NO ANSWER

08:35:03 MISCN Comment:ANNOUNCEMENTS CAN BE HEARD FROM FRONT

08:36:09 MISCN Comment:DM TO TACTICAL TEAM THERE ARE CIVILIANS WALKING NEAR THE HOUSE ACCORDING TO AMR

08:36:59 MISCN [1O40](#) Comment:CALLING SUSPECT, PH IS RINGING THEN GOING TO VM

08:38:10 MISCN [1O1](#) Comment:UNIT ON THE 4 SIDE GIVE ME A 1021

08:38:32 MISCN Comment:CIVILIANS THAT WERE WALKING ARE GOING BACK THE WAY THEY CAME

08:39:45 MISCN [1O1](#) Comment:FOR INFO 2 DEVICES WILL BE DEPLOYED ON THE 4 SIDE

08:40:04 MISCN [1O41](#) Comment:BACK ONLINE

08:40:38 MISCN Comment:UNITS ON 4 SIDE COPY, HOLDING OFF ON DEVICES

08:41:14 MISCN [1O40](#) Comment:SUBJ SOUNDS LIKE HE IS CRYING, WANTS TO TALK TO HIS BROTHER, STILL HAS THE GUN, REFUSING TO PUT IT DOWN

08:43:26 MISCN [1O40](#) Comment:SUBJ SAYING THAT HE KNOWS EVENTUALLY WE WILL HAVE TO GO IN THERE

08:43:54 *CHGLOC [1X33](#) Location:2210 HOFFMAN LN, BYR Comment:ROAD CLOSURE/PERIMETER

08:44:19 MISCN [1O40](#) Comment:SUBJ SAYING THAT IF WE MAKE ENTRY HE IS NOT GOING TO JUST GOING TO PUT HIS HANDS UP AND KNOWS WE HAVENT MADE ENTRY BECAUSE HE HAS THE GUN

08:44:59 MISCN [1O40](#) Comment:SUBJ SAYING HE WILL BE OF NO USE FOR THE NEXT FEW YEARS, HE WILL BE A BURDEN

08:53:40 MISCN [1O40](#) Comment:STILL ON THE PHONE WITH THE SUBJ, STILL WANTS TO TALK WITH HIS BROTHER

08:56:51 MISCN [1O40](#) Comment:SUBJ NOT RESPONDING TO THE NEGOTIATOR, BUT IS STILL ON THE LINE

08:58:36 MISCN [1O40](#) Comment:OFFLINE WITH THE SUBJ, HE SAID HE WAS DONE TALKING AND HUNG UP

08:58:59 MISCN [1O1](#) Plate:A Comment:1O8 DEPLOY AS PREV PLANNED

08:58:59 RFT [1O1](#) Plate:A

08:59:06 MISCN [1O8](#) Comment:DEPLOYING NOW

09:00:04 MISCN [1O42](#) Comment:STARTING LRAD ANNOUNCEMENTS

09:01:21 MISCN [1O1](#) Comment:NEED TEAMS ON 1 AND 3 SIDE TO GET PREPARED WITH FERRETT ROUNDS

09:02:24 MISCN [1O40](#) Comment:CALLS INTO THE SUBJ HAVE BEEN UNSUCCESSFUL GOING TO VM

09:02:35 MISCN [1O6](#) Comment:3 SIDE HAS FERRET

09:02:43 MISCN Comment:4 SIDE HAS FERRET

09:02:58 MISCN 101 Comment:TEAM LEADER ON #1 SIDE GIVE ME A 1021
09:03:58 MISCN Comment:DM 4HOW IS YOUR VISABILITY A5?
09:04:10 MISCN Comment:WE SEE MOVEMENT, BELIEVE ITS THE DOG
09:04:23 MISCN 106 Comment:CANNOT SEE A5
09:04:40 MISCN 109 Comment:IS THAT YOU AT THE PATROL VEH
09:04:53 MISCN 106 Comment:WE HAVE A LOT OF GLASS COMING OFF THE WINDOWS AT US
09:05:05 MISCN 109 Comment:CTC WE HAVE THE SAME ISSUE HERE
09:05:32 MISCN 106 Comment:CORRECTION CTC TO 109 IS THAT YOU AT THE PATROL VEH?
09:07:54 MISCN Comment:CTC WE HAVE A GUY ON THE 4 SIDE WE ARE GOING TO GO CONTACT
09:08:08 MISCN 1042 Comment:CONTINUING WITH THE LRAD ANNOUNCEMENTS
09:09:24 MISCN 1040 Comment:ALL CALLS GOING TO VM
09:09:31 MISCN 1041 Comment:BACK ON
09:10:38 MISCN 1040 Comment:SUBJ SAYING HE NEEDS TO TALK TO HIS BROTHER ABOUT THIS SITUATION TO MOVE FORWARD
09:10:53 ONSCN 1V20
09:10:54 MISCN 1040 Comment:SUBJ ASKING US WHAT WE ARE AFRAID OF
09:11:34 MISCN 1040 Comment:SUBJ CRYING
09:11:54 MISCN 1040 Comment:HE IS ACKNOLEDGING THE EFFORTS BUT SAYING OUR WORDS ARE EMPTY
09:12:18 MISCN 106 Comment:CTC 109 POSS HAD SOME MOVEMENT A 4
09:12:32 MISCN 106 Comment:APPEARS TO MOVE RIGHT TO LEFT IN BAY 4
09:12:50 MISCN 106 Comment:CORRECTION APPEARS TO MOVE RIGHT TO LEFT IN A 4
09:16:02 MISCN Comment:POSS MOVEMENT A3 ON THE 4 SIDE
09:16:32 MISCN 109 Comment:CTC HOW MANY OPENINGS DO YOU SEE ON THE 4 SIDE
09:16:42 MISCN 106 Comment:APPEARS TO BE 6 FROM THE LOWER LEVEL
09:17:29 MISCN 109 Comment:CTC TO CONFIRM IS THE SAME WINDOW WE SAW THE LIGHT COME ON A COUPLE HRS AGO?
09:17:50 MISCN Comment:CTC AFFIRM-SO B3
09:18:57 MISCN 101 Comment:NEED KOHLMEIER DURRER AND GACKOWSKI TO 10-19
09:19:54 MISCN 1040 Comment:STILL ON THE LINE WITH THE SUBJ, HE IS NOT RESPONDING AT ALL
09:21:50 MISCN 1040 Comment:STILL ON THE LINE, SUBJ NOT RESPONDING
09:24:12 MISCN 1040 Comment:STILL NO RESPONSE FROM THE SUBJ
09:27:51 MISCN 1040 Comment:NEGOTIATORS CAN HEAR THE LRAD ANNOUNCEMENTS OVER THE OPEN LINE
09:28:34 MISCN 1012 Comment:1012 AND 1016 ON THE #3 SIDE
09:30:19 MISCN 1040 Comment:NEGOTIATORS NOT HEARING ANYTHING ON THE LINE, STILL OPEN LINE, SUBJ NOT RESPONDING, NO BREATHING HEARD
09:33:01 MISCN 1042 Comment:WE DO NOT HAVE ANY INDICATIONS THAT THE LRAD ANNOUNCEMENTS ARE ACHIEVING THE DESIRED EFFECT
09:33:54 MISCN 101 Comment:DEPLOYING 107 ON THE 1-3 SIDES HAVE PERIMETER AND DMS HAVE THEIR GAS MASKS READY
09:34:59 MISCN 101 Comment:104 CTC YOU HAVE TO BALL WITH THE 1Q7 PLAN
09:35:14 MISCN 104 Comment:STARTING ON THE 1 SIDE
09:35:37 MISCN 104 Comment:ONE DEPLOYED 1 SIDE
09:35:51 MISCN 101 Comment:104 CTC YOU HAVE TO BALL WITH THE 107 PLAN
09:36:16 MISCN 1012 Comment:DEPLOYING ON THE 3 SIDE
09:36:36 MISCN 1027 Comment:SUCCESSFUL DEPLOYMENT ON 1ST 2
09:36:49 MISCN 1027 Comment:NUMBER ONE SIDE COMING UP AGAIN
09:37:10 MISCN 104 Comment:1 SIDE
09:37:20 MISCN 1012 Comment:DEPLOYING ON HE 3 SIDE
09:37:38 MISCN 1027 Comment:ALL 4 DEPLOYMENTS ARE SUCCESSFULL
09:38:35 MISCN 109 Comment:SHOTS FIRE SUSPECT IS DOWN
09:39:09 MISCN 108 Comment:SEND IN AMR C3
09:39:43 MISCN 109 Comment:MERRICK TEAM

09:39:51 MISCN [109](#) Comment:SUSPECT IS DETAINED
 09:39:59 MISCN [105](#) Comment:WILL DIRECT IN AMR
 09:40:18 MISC Comment:10-39 AMR
 09:41:20 MISCN [109](#) Comment:ADMINISTERING FIRST AID
 09:41:45 MISCN [101](#) Comment:WILL WE NEED A MEDIVAC OR HELICOPTER
 09:41:53 MISCN Comment:CTC THAT IS AFFIRM
 09:42:22 MISC Comment:FIRE ADVISED TO START AN AIR AMBULANCE
 09:42:26 MISCN [105](#) Comment:AMR OS
 09:44:08 MISCN [101](#) Comment:GO AHEAD AND INVOKE PROTOCOL
 09:44:46 MISCN [101](#) Comment:DMS STAY IN POSITON
 09:45:10 MISCN [109](#) Comment:THEY NEED TO LIFE FLIGHT THE SUBJ, NEED VALLEY UNIT TO JOHN MUIR WCR
 09:45:20 BACKER [1111](#) UnitID:101 Location:2700 HOFFMAN LN, BYR Operator:72981
 OperNames:ROOT,WILLIAM
 09:45:48 MISCN [1027](#) Comment:ARE WE GOING TO CLEAR THE HOUSE
 09:46:14 MISCN [101](#) Comment:HAVE AC COME WE WILL CLEAR THE HOUSE , ALL UNITS NOT INVOLVED STACK UP AT THE #1 SIDE
 09:46:46 MISCN [102](#) Comment:CAL STAR LANDING NE OF THE RESD IN THE FIELD 15 OUT
 09:47:03 MISC [1V15](#) Comment:I GOT A HOLD OF THE DA BARRY GROVES AND HE'S ADVD OF THE PROTOCOL
 09:48:11 BACKER [1X32](#) UnitID:101 Location:2700 HOFFMAN LN, BYR Operator:55485
 OperNames:PARENTI,MATTHIAS
 09:48:26 MISCN [102](#) Comment:NON INVOLVED UNITS THE THE #1 SIDE TO CLER THE HOUSE
 09:50:04 *ONSCN [1X32](#)
 09:50:07 MISCN [103](#) Comment:MAKING ENTRY TO CLEAR THE HOUSE
 09:52:16 MISC Comment:LT HOBBS ALREADY 97
 09:53:03 MISCN [1027](#) Comment:TOP FLOOR CLEAR, CHECKING LOWER FLOOR
 09:53:19 MISCN Comment:1A50 (W/INTERNAL AFFAIRS) WAS GIVEN THE INFO
 09:55:08 MISCN [101](#) Comment:CTC TO ALL DM'S, DO NO BREAK DOWN YOUR GEAR
 09:55:58 MISCN [1027](#) Comment:WAITING FOR AC TO SECURE THE DOGS BEFORE WE CHECK THE MAIN BEDROOM
 10:00:09 MISCN [1040](#) Comment:ETA ON HELO IS 8 MINUTES
 10:01:04 MISCN Comment:** CRIME LAB CONTACTED ** DEBBIE (MANAGER)
 10:01:29 MISCN [1027](#) Comment:FIRST FLOOR IS CLEAR OF HUMANS, THEY ARE WORKING ON GETTING TWO LARGE DOGS OUT
 10:05:14 MISCN Comment:** MESSAGE LEFT FOR SGT SHAWN WELCH (DSA) **
 10:05:18 PRIOR Location:2700 HOFFMAN LN, BYR
 10:05:39 OK [1027](#) Comment:ALL THE DOGS ARE OUT OF THE HOUSE
 10:10:08 BACKER [1113](#) UnitID:1036 Location:14301 BYRON HW, BYR Operator:63641
 OperNames:BUSCH,CORINNE
 10:10:15 CHGLOC [1113](#) Location:EXCELSIOR MIDDLE SCHOOL, BYR
 10:11:20 OK [1042](#) [101](#) [102](#) [103](#) [104](#) [105](#) [106](#) [1012](#) [1013](#) [1016](#)
 10:11:20 OK [1019](#) [1022](#) [1024](#) [1032](#) [1034](#) [1035](#) [1036](#) [1037](#) [1040](#) [1041](#)
 10:11:20 OK [1043](#) [1045](#) [1046](#) [1047](#) [1049](#)
 10:11:44 MISCN Comment:NEED ALL UNITS TO THE 1-4 CORNER WE NEED A WEAPONS CHECK
 10:11:46 BACKER [1112](#) UnitID:1113 Location:EXCELSIOR MIDDLE SCHOOL, BYR Operator:69052
 OperNames:HOLLAND,BRIAN
 10:12:00 OK [107](#) [108](#) [109](#) [1061](#)
 10:12:21 *MISCN [1X32](#) Comment:1X32, CALSTAR 1, BASED BUCHANEN AIRPORT, CONCORD
 10:13:33 MISCN [103](#) Comment:CPR IN PROGRESS BY MEDICAL STAFF, AIR XPORT CANNOT OCCUR WHILE THAT IS IN PROGRESS
 10:14:04 MISCN [103](#) Comment:1055 JUST BEEN PRONOUNCED
 10:15:19 *BACKOS [1W31](#) UnitID:1X32 Location:2700 HOFFMAN LN, BYR Operator:61967
 OperNames:JIMENEZ,ROBERT
 10:16:36 MISCN Comment:* CORONER'S OFFICE NOTIFIED *

10:17:21 *MISCN 1X32 **Comment:** 1X32, CALSTAR 1 FLIGHT# 72019
10:17:33 MISCN **Comment:** MSG LEFT FOR BELTRAN TO CALL BACK
10:18:12 PRIOR **Location:** 2700 HOFFMAN LN, BYR

Contra Costa County Office of the Sheriff

HNT

Incident Log started on 3/18/2016 at 0104 Hrs

CASE #: BYRON_HIGHWAY
LOCATION: DELTA DETAIL

No Subject Information Entered.

No Team Members Entered.

3/18/2016 - 01:08:05 - Manually Dialing Number: (925) [REDACTED]

3/18/2016 - 01:08:12 - AutoCall to (925) 285-2497 Answered

3/18/2016 - 01:08:12 - Recording MP3 File: BYRON_HIGHWAY_1a.mp3

3/18/2016 - 01:08:37 - Recording Stopped. Recording Length = 00:24 CRC: 7B A6 90 5C

3/18/2016 - 01:08:37 - Call Disconnected.

3/18/2016 - 01:08:58 - Manually Dialing Number: (925) [REDACTED]

3/18/2016 - 01:09:11 - Recording MP3 File: BYRON_HIGHWAY_2a.mp3

3/18/2016 - 01:09:23 - Recording Stopped. Recording Length = 00:11 CRC: 30 22 B0 F9

3/18/2016 - 01:09:23 - Party Disconnected Call

3/18/2016 - 01:11:23 - Members added to attendance by (none selected):

Dallas Collier

Douglas Muse

Jack Oakley

Jose Rivera

Kristine Hunter

3/18/2016 - 01:11:23 - Team Member Assignments updated by (none selected):

Primary Assignment set to Kristine Hunter

Coach Assignment set to Dallas Collier

Scribe Assignment set to Jose Rivera

3/18/2016 - 01:11:57 - Dialing Number: [REDACTED]

3/18/2016 - 01:12:58 - Manually Disconnected from Call

3/18/2016 - 01:13:02 - Dialing Number: [REDACTED]

3/18/2016 - 01:13:26 - Manually Disconnected from Call

3/18/2016 - 01:13:38 - Dialing Number: [REDACTED]

3/18/2016 - 01:14:29 - Manually Disconnected from Call

3/18/2016 - 01:14:37 - Dialing Number: [REDACTED]

3/18/2016 - 01:15:18 - Manually Disconnected from Call

3/18/2016 - 01:15:35 - Dialing Number: [REDACTED]

3/18/2016 - 01:16:18 - Manually Disconnected from Call

SYSTEM RECOVERY: Successful - 3/18/2016 1:23:31 AM

3/18/2016 - 01:24:33 - Manually Dialing Number: [REDACTED]

3/18/2016 - 01:24:44 - Recording MP3 File: BYRON_HIGHWAY_3a.mp3

3/18/2016 - 01:24:51 - Recording Stopped. Recording Length = 00:06 CRC: 7F CF 30 A2

3/18/2016 - 01:24:52 - Manually Disconnected from Call

3/18/2016 - 01:24:58 - Dialing Number: [REDACTED]

3/18/2016 - 01:25:26 - Recording MP3 File: BYRON_HIGHWAY_4a.mp3

3/18/2016 - 01:25:28 - (00:02) Notation By (none selected):
Starting calls

3/18/2016 - 01:25:30 - Recording Stopped. Recording Length = 00:03 CRC: 10 6E 51 D1

3/18/2016 - 01:25:30 - Manually Disconnected from Call

3/18/2016 - 01:25:34 - Dialing Number: [REDACTED]

3/18/2016 - 01:25:58 - Recording MP3 File: BYRON_HIGHWAY_5a.mp3

3/18/2016 - 01:26:24 - Team Member Assignments updated by Dallas Collier:

Team Leader Assignment set to Jose Rivera

Scribe Assignment changed from Jose Rivera to (none selected)

CINT Commander Operator Assignment set to Dallas Collier

3/18/2016 - 01:26:27 - Recording Stopped. Recording Length = 00:28 CRC: AA AC D9 F2

3/18/2016 - 01:26:27 - Manually Disconnected from Call

3/18/2016 - 01:26:31 - Dialing Number [REDACTED]

3/18/2016 - 01:26:44 - Notation By Dallas Collier:
voicemail left

3/18/2016 - 01:26:58 - Recording MP3 File: BYRON_HIGHWAY_6a.mp3

3/18/2016 - 01:27:01 - Recording Stopped. Recording Length = 00:02 CRC: 5B 59 A4 27

3/18/2016 - 01:27:01 - Manually Disconnected from Call

3/18/2016 - 01:27:03 - Dialing Number: [REDACTED]

3/18/2016 - 01:27:27 - Recording MP3 File: BYRON_HIGHWAY_7a.mp3

3/18/2016 - 01:27:30 - Recording Stopped. Recording Length = 00:02 CRC: 34 99 FF 5B

3/18/2016 - 01:27:30 - Manually Disconnected from Call

3/18/2016 - 01:27:32 - Dialing Number: [REDACTED]

3/18/2016 - 01:27:57 - Recording MP3 File: BYRON_HIGHWAY_8a.mp3

3/18/2016 - 01:27:59 - Recording Stopped. Recording Length = 00:01 CRC: 9F FF 87 D2

3/18/2016 - 01:27:59 - Manually Disconnected from Call

3/18/2016 - 01:28:03 - Dialing Number [REDACTED]

3/18/2016 - 01:28:12 - Recording MP3 File: BYRON_HIGHWAY_9a.mp3

3/18/2016 - 01:28:12 - Recording Stopped. Recording Length = 00:00 CRC: F5 52 B3 39

3/18/2016 - 01:28:12 - Party Disconnected Call

3/18/2016 - 01:28:23 - Notation By Dallas Collier:
pickup/hangup

3/18/2016 - 01:28:24 - Dialing Number: [REDACTED]

3/18/2016 - 01:28:32 - Recording MP3 File: BYRON_HIGHWAY_10a.mp3

3/18/2016 - 01:28:34 - Recording Stopped. Recording Length = 00:02 CRC: C4 67 A6 6E

3/18/2016 - 01:28:35 - Manually Disconnected from Call

3/18/2016 - 01:28:38 - Dialing Number: [REDACTED]

3/18/2016 - 01:28:42 - Notation By Dallas Collier:
ignored

3/18/2016 - 01:28:47 - Recording MP3 File: BYRON_HIGHWAY_11a.mp3

3/18/2016 - 01:28:50 - Recording Stopped. Recording Length = 00:03 CRC: 75 FF 9D 02

3/18/2016 - 01:28:51 - Manually Disconnected from Call

3/18/2016 - 01:28:52 - Notation By Dallas Collier:
ignored

3/18/2016 - 01:28:53 - Dialing Number: [REDACTED]

3/18/2016 - 01:28:59 - Recording MP3 File: BYRON_HIGHWAY_12a.mp3

3/18/2016 - 01:29:06 - Recording Stopped. Recording Length = 00:06 CRC: 1A 0F 51 DF

3/18/2016 - 01:29:06 - Manually Disconnected from Call

3/18/2016 - 01:30:06 - Dialing Number: [REDACTED]

3/18/2016 - 01:30:16 - Recording MP3 File: BYRON_HIGHWAY_13a.mp3

3/18/2016 - 01:30:28 - (00:12) Notation By Dallas Collier:
voicemail left

3/18/2016 - 01:30:42 - Recording Stopped. Recording Length = 00:25 CRC: E9 61 55 D3

3/18/2016 - 01:30:42 - Manually Disconnected from Call

3/18/2016 - 01:30:51 - Dialing Number: [REDACTED]

3/18/2016 - 01:30:55 - Recording MP3 File: BYRON_HIGHWAY_14a.mp3

3/18/2016 - 01:30:59 - Recording Stopped. Recording Length = 00:03 CRC: A4 C1 F8 8B

3/18/2016 - 01:31:00 - Manually Disconnected from Call

3/18/2016 - 01:32:17 - Dialing Number: [REDACTED]

3/18/2016 - 01:32:24 - Recording MP3 File: BYRON_HIGHWAY_15a.mp3

3/18/2016 - 01:32:27 - Recording Stopped. Recording Length = 00:03 CRC: 9D F4 1D 52

3/18/2016 - 01:32:28 - Manually Disconnected from Call

3/18/2016 - 01:32:36 - Dialing Number: [REDACTED]

3/18/2016 - 01:32:40 - Recording MP3 File: BYRON_HIGHWAY_16a.mp3
3/18/2016 - 01:32:43 - Recording Stopped. Recording Length = 00:02 CRC: DB FF 84 A7

3/18/2016 - 01:32:43 - Manually Disconnected from Call

3/18/2016 - 01:32:50 - Notation By Dallas Collier:
straight to voicemail

3/18/2016 - 01:34:17 - Dialing Number: [REDACTED]

3/18/2016 - 01:34:22 - Recording MP3 File: BYRON_HIGHWAY_17a.mp3

3/18/2016 - 01:34:50 - (00:27) Notation By Dallas Collier:
voicemail left

3/18/2016 - 01:34:56 - Recording Stopped. Recording Length = 00:33 CRC: B4 49 C3 36

3/18/2016 - 01:34:57 - Manually Disconnected from Call

3/18/2016 - 01:36:45 - Dialing Number [REDACTED]

3/18/2016 - 01:36:50 - Recording MP3 File: BYRON_HIGHWAY_18a.mp3

3/18/2016 - 01:36:54 - Recording Stopped. Recording Length = 00:03 CRC: B4 D0 DA D1

3/18/2016 - 01:36:54 - Manually Disconnected from Call

3/18/2016 - 01:40:04 - Dialing Number [REDACTED]

3/18/2016 - 01:40:09 - Recording MP3 File: BYRON_HIGHWAY_19a.mp3

3/18/2016 - 01:40:13 - Recording Stopped. Recording Length = 00:04 CRC: ED 62 9B 7A

3/18/2016 - 01:40:14 - Manually Disconnected from Call

3/18/2016 - 01:40:24 - Dialing Number: [REDACTED]

3/18/2016 - 01:40:28 - Recording MP3 File: BYRON_HIGHWAY_20a.mp3

3/18/2016 - 01:40:31 - Recording Stopped. Recording Length = 00:03 CRC: 20 DC B3 B7

3/18/2016 - 01:40:32 - Manually Disconnected from Call

3/18/2016 - 01:42:44 - Dialing Number: [REDACTED]

3/18/2016 - 01:42:51 - Recording MP3 File: BYRON_HIGHWAY_21a.mp3

3/18/2016 - 01:42:58 - Recording Stopped. Recording Length = 00:07 CRC: 77 1A 90 EB

3/18/2016 - 01:42:58 - Manually Disconnected from Call

3/18/2016 - 01:43:10 - Dialing Number: [REDACTED]

3/18/2016 - 01:43:14 - Recording MP3 File: BYRON_HIGHWAY_22a.mp3

3/18/2016 - 01:43:22 - Recording Stopped. Recording Length = 00:07 CRC: 4F B9 02 CC

3/18/2016 - 01:43:22 - Manually Disconnected from Call

3/18/2016 - 01:47:54 - Dialing Number: [REDACTED]

3/18/2016 - 01:48:03 - Recording MP3 File: BYRON_HIGHWAY_23a.mp3

3/18/2016 - 01:48:09 - Recording Stopped. Recording Length = 00:05 CRC: 91 9E 90 A2

3/18/2016 - 01:48:09 - Manually Disconnected from Call

3/18/2016 - 01:48:13 - Dialing Number: [REDACTED]

3/18/2016 - 01:48:18 - Recording MP3 File: BYRON_HIGHWAY_24a.mp3

3/18/2016 - 01:48:50 - Recording Stopped. Recording Length = 00:32 CRC: D3 AF DE 36

3/18/2016 - 01:48:51 - Manually Disconnected from Call

SYSTEM RECOVERY: Successful - 3/18/2016 2:06:53 AM

3/18/2016 - 02:07:56 - Dialing Number: [REDACTED]

3/18/2016 - 02:08:01 - Recording MP3 File: BYRON_HIGHWAY_25a.mp3

3/18/2016 - 02:08:06 - Manually Disconnected from Call

3/18/2016 - 02:08:06 - Recording Stopped. Recording Length = 00:01 CRC: 8E 30 7A BA

3/18/2016 - 02:08:22 - Notation By Dallas Collier:
straight to voicemail

3/18/2016 - 02:08:27 - Dialing Number: [REDACTED]

3/18/2016 - 02:08:31 - Recording MP3 File: BYRON_HIGHWAY_26a.mp3

3/18/2016 - 02:08:36 - Recording Stopped. Recording Length = 00:04 CRC: 69 60 79 2E

3/18/2016 - 02:08:36 - Manually Disconnected from Call

3/18/2016 - 02:11:57 - Members added to attendance by Dallas Collier:

Jose Beltran
Melissa Klawuhn
Mike Parrish

3/18/2016 - 02:11:57 - Team Member Assignments updated by Dallas Collier:
Team Leader Assignment changed from Jose Rivera to Melissa Klawuhn
Scribe Assignment set to Mike Parrish
Intel #1 Assignment set to Jack Oakley
Incident Commander Assignment set to Jose Beltran
Tactical Commander Assignment set to Jose Beltran

3/18/2016 - 02:11:57 - Members On Scene and their Current Assignments:

Jose Beltran	(Incident Commander)
Jose Beltran	(Tactical Commander)
Dallas Collier	(Operator)
Douglas Muse	
Jack Oakley	(Intel1)
Jose Rivera	
Kristine Hunter	(Primary)
Melissa Klawuhn	(Team Leader)
Mike Parrish	(Scribe)

3/18/2016 - 02:13:23 - Remote Notation By Parrish:
Test

3/18/2016 - 02:15:19 - New Subject (#1) Identified:
NAME : Michael Mallet
DOB : 08/22/1966

3/18/2016 - 02:19:36 - Dialing Number [REDACTED]

3/18/2016 - 02:19:41 - Recording MP3 File: BYRON_HIGHWAY_27a.mp3

3/18/2016 - 02:19:48 - Recording Stopped. Recording Length = 00:06 CRC: BB 2C C8 FD

3/18/2016 - 02:19:48 - Manually Disconnected from Call

3/18/2016 - 02:21:40 - Dialing Number: [REDACTED]

3/18/2016 - 02:21:45 - Recording MP3 File: BYRON_HIGHWAY_28a.mp3

3/18/2016 - 02:21:51 - Recording Stopped. Recording Length = 00:05 CRC: 51 A8 83 EA

3/18/2016 - 02:21:51 - Manually Disconnected from Call

3/18/2016 - 02:22:42 - Remote Notation By Parrish:
straight to VM

3/18/2016 - 02:29:32 - Dialing Number: [REDACTED]

3/18/2016 - 02:29:38 - Recording MP3 File: BYRON_HIGHWAY_29a.mp3

3/18/2016 - 02:29:43 - Recording Stopped. Recording Length = 00:04 CRC: 7D 23 55 03

3/18/2016 - 02:29:45 - Manually Disconnected from Call

3/18/2016 - 02:36:30 - Dialing Number: [REDACTED]

3/18/2016 - 02:36:36 - Recording MP3 File: BYRON_HIGHWAY_30a.mp3

3/18/2016 - 02:36:42 - (00:06) Notation By Dallas Collier:
parrish calling subjects brother [REDACTED]

3/18/2016 - 02:37:35 - Recording Stopped. Recording Length = 00:59 CRC: F2 F8 61 98

3/18/2016 - 02:37:35 - Party Disconnected Call

3/18/2016 - 02:43:02 - Dialing Number: [REDACTED]

3/18/2016 - 02:43:08 - Recording MP3 File: BYRON_HIGHWAY_31a.mp3

3/18/2016 - 02:43:13 - Recording Stopped. Recording Length = 00:05 CRC: 63 46 E6 9C

3/18/2016 - 02:43:14 - Manually Disconnected from Call

3/18/2016 - 02:43:35 - Remote Notation By Parrish:

3 calls attempted to brother [REDACTED] UTL. Left VM to call Dispatch on 3rd attempt.

3/18/2016 - 02:47:11 - Info Changed:

NAME: Michael Mallett

3/18/2016 - 02:52:19 - Dialing Number: [REDACTED]

3/18/2016 - 02:52:24 - Recording MP3 File: BYRON_HIGHWAY_32a.mp3

3/18/2016 - 02:52:30 - Recording Stopped. Recording Length = 00:05 CRC: 58 B5 69 15

3/18/2016 - 02:52:31 - Manually Disconnected from Call

3/18/2016 - 02:53:17 - Manually Dialing Number: [REDACTED]

3/18/2016 - 02:53:31 - Manually Disconnected from Call

3/18/2016 - 02:54:19 - Info Changed:

NAME: Michael Lee Mallett

3/18/2016 - 03:00:13 - Dialing Number: [REDACTED]

3/18/2016 - 03:00:19 - Recording MP3 File: BYRON_HIGHWAY_33a.mp3
3/18/2016 - 03:00:24 - Recording Stopped. Recording Length = 00:05 CRC: 51 4D CA DA

3/18/2016 - 03:00:24 - Manually Disconnected from Call

3/18/2016 - 03:07:47 - Dialing Number: [REDACTED]

3/18/2016 - 03:07:51 - Recording MP3 File: BYRON_HIGHWAY_34a.mp3
3/18/2016 - 03:08:24 - Recording Stopped. Recording Length = 00:32 CRC: 1D CF AE 8E

3/18/2016 - 03:08:25 - Manually Disconnected from Call

3/18/2016 - 03:20:30 - Dialing Number: [REDACTED]

3/18/2016 - 03:20:36 - Recording MP3 File: BYRON_HIGHWAY_35a.mp3
3/18/2016 - 03:20:41 - Recording Stopped. Recording Length = 00:05 CRC: D4 80 D7 10

3/18/2016 - 03:20:41 - Manually Disconnected from Call

3/18/2016 - 03:33:40 - Dialing Number: [REDACTED]

3/18/2016 - 03:33:46 - Recording MP3 File: BYRON_HIGHWAY_36a.mp3
3/18/2016 - 03:33:51 - Recording Stopped. Recording Length = 00:05 CRC: C7 90 2F FE

3/18/2016 - 03:33:52 - Manually Disconnected from Call

3/18/2016 - 03:42:22 - Dialing Number: [REDACTED]

3/18/2016 - 03:42:31 - Recording MP3 File: BYRON_HIGHWAY_37a.mp3
3/18/2016 - 03:42:37 - Recording Stopped. Recording Length = 00:05 CRC: 16 7E 80 8C

3/18/2016 - 03:42:37 - Manually Disconnected from Call

3/18/2016 - 03:42:40 - Dialing Number: [REDACTED]

3/18/2016 - 03:42:48 - Recording MP3 File: BYRON_HIGHWAY_38a.mp3
3/18/2016 - 03:42:56 - Recording Stopped. Recording Length = 00:07 CRC: A1 4E CD 62

3/18/2016 - 03:42:56 - Manually Disconnected from Call

3/18/2016 - 03:43:00 - Dialing Number: [REDACTED]

3/18/2016 - 03:43:04 - Recording MP3 File: BYRON_HIGHWAY_39a.mp3
3/18/2016 - 03:43:35 - Recording Stopped. Recording Length = 00:31 CRC: 10 13 0B FD

3/18/2016 - 03:43:36 - Manually Disconnected from Call

3/18/2016 - 03:43:58 - Dialing Number: [REDACTED]

3/18/2016 - 03:44:02 - Recording MP3 File: BYRON_HIGHWAY_40a.mp3

3/18/2016 - 03:44:09 - Recording Stopped. Recording Length = 00:07 CRC: BB FC C6 47

3/18/2016 - 03:44:10 - Manually Disconnected from Call

3/18/2016 - 03:44:21 - Dialing Number: [REDACTED]

3/18/2016 - 03:44:26 - Recording MP3 File: BYRON_HIGHWAY_41a.mp3

3/18/2016 - 03:44:39 - Recording Stopped. Recording Length = 00:13 CRC: 8D E0 60 63

3/18/2016 - 03:44:39 - Manually Disconnected from Call

3/18/2016 - 03:45:12 - Dialing Number: [REDACTED]

3/18/2016 - 03:46:32 - Manually Disconnected from Call

SYSTEM RECOVERY: Successful - 3/18/2016 3:49:24 AM

3/18/2016 - 03:50:12 - Dialing Number: [REDACTED]

3/18/2016 - 03:50:17 - Recording MP3 File: BYRON_HIGHWAY_42a.mp3

3/18/2016 - 03:50:21 - Recording Stopped. Recording Length = 00:04 CRC: 2F 1E 83 FB

3/18/2016 - 03:50:21 - Manually Disconnected from Call

3/18/2016 - 03:51:07 - Dialing Number: [REDACTED]

3/18/2016 - 03:51:11 - Recording MP3 File: BYRON_HIGHWAY_43a.mp3

3/18/2016 - 03:51:15 - Recording Stopped. Recording Length = 00:03 CRC: 4A E6 CE 47

3/18/2016 - 03:51:16 - Manually Disconnected from Call

3/18/2016 - 03:57:28 - Dialing Number: [REDACTED]

3/18/2016 - 03:57:34 - Recording MP3 File: BYRON_HIGHWAY_44a.mp3

3/18/2016 - 03:57:40 - Manually Disconnected from Call

3/18/2016 - 03:57:40 - Recording Stopped. Recording Length = 00:06 CRC: BE 07 F0 0D

3/18/2016 - 03:58:26 - Remote Notation By Parrish:
TPI obtained from [REDACTED] (wife). Unknown if will use.

3/18/2016 - 04:02:33 - Dialing Number: [REDACTED]

3/18/2016 - 04:02:39 - Recording MP3 File: BYRON_HIGHWAY_45a.mp3

3/18/2016 - 04:02:48 - Recording Stopped. Recording Length = 00:09 CRC: ED 40 CC 8E

3/18/2016 - 04:02:48 - Manually Disconnected from Call

3/18/2016 - 04:09:03 - Dialing Number: [REDACTED]

3/18/2016 - 04:09:08 - Recording MP3 File: BYRON_HIGHWAY_46a.mp3

3/18/2016 - 04:09:13 - Recording Stopped. Recording Length = 00:04 CRC: 98 65 37 2F

3/18/2016 - 04:09:13 - Manually Disconnected from Call

3/18/2016 - 04:09:41 - Tactical Phone is Off Hook

3/18/2016 - 04:10:24 - Tactical Phone is Off Hook

3/18/2016 - 04:10:30 - Incoming call from Tactical Phone Answered

3/18/2016 - 04:10:30 - Recording MP3 File: BYRON_HIGHWAY_47a.mp3

3/18/2016 - 04:10:45 - Recording Stopped. Recording Length = 00:14 CRC: FB BA C7 4D

3/18/2016 - 04:10:45 - Tactical Phone call Ended.

3/18/2016 - 04:13:26 - Tactical Phone is Off Hook

3/18/2016 - 04:13:34 - Incoming call from Tactical Phone Answered

3/18/2016 - 04:13:34 - Recording MP3 File: BYRON_HIGHWAY_48a.mp3

3/18/2016 - 04:13:44 - Recording Stopped. Recording Length = 00:09 CRC: 98 06 D0 5A

3/18/2016 - 04:13:44 - Tactical Phone call Ended.

3/18/2016 - 04:13:48 - Dialing Number: [REDACTED]

3/18/2016 - 04:13:53 - Recording MP3 File: BYRON_HIGHWAY_49a.mp3

3/18/2016 - 04:13:59 - Recording Stopped. Recording Length = 00:05 CRC: FC 7B 45 82

3/18/2016 - 04:13:59 - Manually Disconnected from Call

3/18/2016 - 04:19:22 - Dialing Number: [REDACTED]

3/18/2016 - 04:19:27 - Recording MP3 File: BYRON_HIGHWAY_50a.mp3

3/18/2016 - 04:19:31 - Recording Stopped. Recording Length = 00:03 CRC: 6B B8 3A 7D

3/18/2016 - 04:19:31 - Manually Disconnected from Call

3/18/2016 - 04:24:13 - Dialing Number: [REDACTED]

3/18/2016 - 04:24:40 - Recording MP3 File: BYRON_HIGHWAY_51a.mp3

3/18/2016 - 04:24:46 - Recording Stopped. Recording Length = 00:05 CRC: F3 AF A1 4F

3/18/2016 - 04:24:48 - Dialing Number: [REDACTED]

3/18/2016 - 04:24:48 - Manually Disconnected from Call

3/18/2016 - 04:24:50 - Dialing Number: [REDACTED]

3/18/2016 - 04:25:18 - Recording MP3 File: BYRON_HIGHWAY_52a.mp3

3/18/2016 - 04:25:21 - Recording Stopped. Recording Length = 00:02 CRC: A5 9D 20 7C

3/18/2016 - 04:25:21 - Manually Disconnected from Call

3/18/2016 - 04:25:23 - Dialing Number: [REDACTED]

3/18/2016 - 04:25:40 - Notation By Dallas Collier:
phone ringing again

3/18/2016 - 04:25:48 - Manually Disconnected from Call

3/18/2016 - 04:25:54 - Dialing Number: [REDACTED]

3/18/2016 - 04:26:20 - Recording MP3 File: BYRON_HIGHWAY_53a.mp3

3/18/2016 - 04:26:23 - Recording Stopped. Recording Length = 00:02 CRC: 4E E6 C8 0A

3/18/2016 - 04:26:23 - Manually Disconnected from Call

3/18/2016 - 04:26:26 - Dialing Number: [REDACTED]

3/18/2016 - 04:26:55 - Recording MP3 File: BYRON_HIGHWAY_54a.mp3

3/18/2016 - 04:26:58 - Recording Stopped. Recording Length = 00:03 CRC: D2 4A FF B9

3/18/2016 - 04:26:59 - Manually Disconnected from Call

3/18/2016 - 04:27:02 - Dialing Number: [REDACTED]

3/18/2016 - 04:27:26 - Recording MP3 File: BYRON_HIGHWAY_55a.mp3

3/18/2016 - 04:27:51 - Recording Stopped. Recording Length = 00:24 CRC: 31 39 42 ED

3/18/2016 - 04:27:52 - Manually Disconnected from Call

3/18/2016 - 04:27:56 - Dialing Number: [REDACTED]

3/18/2016 - 04:28:21 - Recording MP3 File: BYRON_HIGHWAY_56a.mp3
3/18/2016 - 04:28:24 - Recording Stopped. Recording Length = 00:03 CRC: 2F 07 3F DE

3/18/2016 - 04:28:24 - Manually Disconnected from Call

3/18/2016 - 04:28:27 - Dialing Number: [REDACTED]

3/18/2016 - 04:28:55 - Recording MP3 File: BYRON_HIGHWAY_57a.mp3
3/18/2016 - 04:28:57 - Recording Stopped. Recording Length = 00:02 CRC: 2D 23 3E 00

3/18/2016 - 04:28:58 - Manually Disconnected from Call

3/18/2016 - 04:29:01 - Dialing Number: [REDACTED]

3/18/2016 - 04:29:26 - Recording MP3 File: BYRON_HIGHWAY_58a.mp3
3/18/2016 - 04:29:30 - Recording Stopped. Recording Length = 00:04 CRC: 20 8D D4 1A

3/18/2016 - 04:29:31 - Manually Disconnected from Call

3/18/2016 - 04:30:48 - Dialing Number: [REDACTED]

3/18/2016 - 04:31:15 - Recording MP3 File: BYRON_HIGHWAY_59a.mp3
3/18/2016 - 04:31:18 - Recording Stopped. Recording Length = 00:02 CRC: 23 2B 7A BA

3/18/2016 - 04:31:18 - Manually Disconnected from Call

3/18/2016 - 04:31:20 - Dialing Number: [REDACTED]

3/18/2016 - 04:31:46 - Recording MP3 File: BYRON_HIGHWAY_60a.mp3

3/18/2016 - 04:31:59 - (00:12) Notation By Dallas Collier:
mike answer

3/18/2016 - 04:44:23 - Recording Stopped. Recording Length = 12:35 CRC: 1F 9B 09 7C

3/18/2016 - 04:44:23 - Party Disconnected Call

3/18/2016 - 04:44:29 - Notation By Dallas Collier:
hung up

SYSTEM RECOVERY: Successful - 3/18/2016 4:50:20 AM

3/18/2016 - 04:51:15 - Dialing Number: [REDACTED]

3/18/2016 - 04:51:42 - Recording MP3 File: BYRON_HIGHWAY_61a.mp3
3/18/2016 - 04:51:46 - Recording Stopped. Recording Length = 00:03 CRC: 47 0A B8 9F

3/18/2016 - 04:51:47 - Manually Disconnected from Call

3/18/2016 - 04:52:27 - Dialing Number [REDACTED]

3/18/2016 - 04:52:31 - Recording MP3 File: BYRON_HIGHWAY_62a.mp3
3/18/2016 - 04:52:36 - Recording Stopped. Recording Length = 00:04 CRC: DA 2F 72 80

3/18/2016 - 04:52:36 - Manually Disconnected from Call

3/18/2016 - 04:52:50 - Dialing Number: [REDACTED]

3/18/2016 - 04:52:55 - Recording MP3 File: BYRON_HIGHWAY_63a.mp3
3/18/2016 - 04:52:58 - Recording Stopped. Recording Length = 00:02 CRC: D1 A9 BE 3B

3/18/2016 - 04:52:58 - Manually Disconnected from Call

3/18/2016 - 04:56:42 - Dialing Number [REDACTED]

3/18/2016 - 04:56:47 - Recording MP3 File: BYRON_HIGHWAY_64a.mp3
3/18/2016 - 04:56:51 - Recording Stopped. Recording Length = 00:03 CRC: 51 58 EE 83

3/18/2016 - 04:56:52 - Manually Disconnected from Call

3/18/2016 - 05:01:26 - Dialing Number [REDACTED]

3/18/2016 - 05:01:31 - Recording MP3 File: BYRON_HIGHWAY_65a.mp3
3/18/2016 - 05:01:34 - Recording Stopped. Recording Length = 00:03 CRC: 53 A0 BE 7E

3/18/2016 - 05:01:35 - Manually Disconnected from Call

3/18/2016 - 05:01:54 - Dialing Number [REDACTED]

3/18/2016 - 05:01:59 - Recording MP3 File: BYRON_HIGHWAY_66a.mp3
3/18/2016 - 05:02:11 - Recording Stopped. Recording Length = 00:12 CRC: 84 1F 11 D5

3/18/2016 - 05:02:11 - Manually Disconnected from Call

3/18/2016 - 05:02:19 - Dialing Number [REDACTED]

3/18/2016 - 05:02:24 - Recording MP3 File: BYRON_HIGHWAY_67a.mp3
3/18/2016 - 05:02:26 - Recording Stopped. Recording Length = 00:02 CRC: F8 E8 26 93

3/18/2016 - 05:02:27 - Manually Disconnected from Call

3/18/2016 - 05:04:20 - Dialing Number: [REDACTED]

3/18/2016 - 05:04:24 - Recording MP3 File: BYRON_HIGHWAY_68a.mp3

3/18/2016 - 05:04:28 - Recording Stopped. Recording Length = 00:04 CRC: 75 D8 19 AB

3/18/2016 - 05:04:29 - Manually Disconnected from Call

3/18/2016 - 05:04:51 - Dialing Number: [REDACTED]

3/18/2016 - 05:04:56 - Recording MP3 File: BYRON_HIGHWAY_69a.mp3

3/18/2016 - 05:05:01 - Recording Stopped. Recording Length = 00:04 CRC: 24 6E AE 8A

3/18/2016 - 05:05:01 - Manually Disconnected from Call

3/18/2016 - 05:08:06 - Dialing Number: [REDACTED]

3/18/2016 - 05:08:32 - Recording MP3 File: BYRON_HIGHWAY_70a.mp3

3/18/2016 - 05:08:36 - Recording Stopped. Recording Length = 00:03 CRC: 21 E7 E2 E1

3/18/2016 - 05:08:36 - Manually Disconnected from Call

3/18/2016 - 05:08:39 - Dialing Number: [REDACTED]

3/18/2016 - 05:08:53 - Recording MP3 File: BYRON_HIGHWAY_71a.mp3

3/18/2016 - 05:09:03 - (00:10) Notation By Dallas Collier:
mike answered

3/18/2016 - 05:10:55 - Recording Stopped. Recording Length = 02:02 CRC: 8A E6 57 AC

3/18/2016 - 05:10:55 - Party Disconnected Call

3/18/2016 - 05:11:04 - Dialing Number: [REDACTED]

3/18/2016 - 05:11:19 - Notation By Dallas Collier:
hangup/disconnect

3/18/2016 - 05:11:29 - Recording MP3 File: BYRON_HIGHWAY_72a.mp3

3/18/2016 - 05:11:32 - Recording Stopped. Recording Length = 00:02 CRC: B5 0C B2 B8

3/18/2016 - 05:11:32 - Manually Disconnected from Call

3/18/2016 - 05:11:39 - Dialing Number: [REDACTED]

3/18/2016 - 05:12:04 - Recording MP3 File: BYRON_HIGHWAY_73a.mp3
3/18/2016 - 05:12:12 - Recording Stopped. Recording Length = 00:07 CRC: 67 DA EB E0

3/18/2016 - 05:12:12 - Manually Disconnected from Call

3/18/2016 - 05:12:17 - Dialing Number: [REDACTED]

3/18/2016 - 05:12:44 - Recording MP3 File: BYRON_HIGHWAY_74a.mp3
3/18/2016 - 05:12:52 - Recording Stopped. Recording Length = 00:07 CRC: D1 53 DA 4C

3/18/2016 - 05:12:52 - Manually Disconnected from Call

3/18/2016 - 05:12:57 - Dialing Number: [REDACTED]

3/18/2016 - 05:13:24 - Recording MP3 File: BYRON_HIGHWAY_75a.mp3
3/18/2016 - 05:13:27 - Recording Stopped. Recording Length = 00:03 CRC: 6A 6C 59 BC

3/18/2016 - 05:13:28 - Manually Disconnected from Call

3/18/2016 - 05:14:38 - Dialing Number: [REDACTED]

3/18/2016 - 05:15:05 - Recording MP3 File: BYRON_HIGHWAY_76a.mp3
3/18/2016 - 05:15:08 - Recording Stopped. Recording Length = 00:03 CRC: B2 20 E1 90

3/18/2016 - 05:15:08 - Manually Disconnected from Call

3/18/2016 - 05:18:41 - Dialing Number: [REDACTED]

3/18/2016 - 05:19:08 - Recording MP3 File: BYRON_HIGHWAY_77a.mp3
3/18/2016 - 05:19:11 - Recording Stopped. Recording Length = 00:03 CRC: 3C A3 63 4D

3/18/2016 - 05:19:11 - Manually Disconnected from Call

3/18/2016 - 05:19:20 - Dialing Number: [REDACTED]

3/18/2016 - 05:19:48 - Recording MP3 File: BYRON_HIGHWAY_78a.mp3
3/18/2016 - 05:19:52 - Recording Stopped. Recording Length = 00:04 CRC: B8 BE 3D 22

3/18/2016 - 05:19:54 - Manually Disconnected from Call

3/18/2016 - 05:19:59 - Dialing Number: [REDACTED]

3/18/2016 - 05:20:20 - Recording MP3 File: BYRON_HIGHWAY_79a.mp3

3/18/2016 - 05:20:29 - (00:09) Notation By Dallas Collier:
mike picked up

3/18/2016 - 05:32:55 - Recording Stopped. Recording Length = 12:34 CRC: A4 93 66 E9

3/18/2016 - 05:32:55 - Party Disconnected Call

3/18/2016 - 05:33:05 - Notation By Dallas Collier:
hangup/disconnect

SYSTEM RECOVERY: Successful - 3/18/2016 5:40:10 AM

3/18/2016 - 05:41:27 - Remote Notation By Parrish:
test

3/18/2016 - 05:42:02 - Dialing Number: [REDACTED]

3/18/2016 - 05:42:21 - Recording MP3 File: BYRON_HIGHWAY_80a.mp3

3/18/2016 - 05:42:32 - (00:10) Notation By Dallas Collier:
mike answered

3/18/2016 - 05:45:59 - (03:37) Notation By Dallas Collier:
dogs barking in back ground

3/18/2016 - 05:54:08 - Recording Stopped. Recording Length = 11:46 CRC: 11 81 E9 F1

3/18/2016 - 05:54:08 - Party Disconnected Call

3/18/2016 - 05:54:29 - Notation By Dallas Collier:
mike hungup

3/18/2016 - 05:56:02 - Remote Notation By Parrish:
Subject seems depressed. Spoke very little. Very concerned about going back to jail. Not sure if he can handle the environment.

3/18/2016 - 06:02:57 - Remote Notation By Parrish:
Info from [REDACTED] Mike former Fire invesitagtor. Now owns and operates family jewelry business. Much of the family relies on Mike. Other brother [REDACTED] Mike's mom, has been sick lately. Doing better now. Another brother [REDACTED] Has mental illness, drug alcohol abuse. [REDACTED] thinks Mike only has the single hand gun in the house. Mike is a Christian. Attends church but not actively involved.

3/18/2016 - 06:04:23 - Dialing Number: [REDACTED]

3/18/2016 - 06:04:53 - Recording MP3 File: BYRON_HIGHWAY_81a.mp3

3/18/2016 - 06:04:56 - Recording Stopped. Recording Length = 00:03 CRC: 2A 6A 84 9E

3/18/2016 - 06:04:56 - Manually Disconnected from Call

3/18/2016 - 06:04:59 - Dialing Number [REDACTED]

3/18/2016 - 06:05:01 - Remote Notation By Parrish:
VM

3/18/2016 - 06:05:24 - Recording MP3 File: BYRON_HIGHWAY_82a.mp3

3/18/2016 - 06:05:27 - Recording Stopped. Recording Length = 00:03 CRC: 2E 35 CD C0

3/18/2016 - 06:05:28 - Manually Disconnected from Call

3/18/2016 - 06:05:30 - Dialing Number [REDACTED]

3/18/2016 - 06:05:31 - Remote Notation By Parrish:
VM

3/18/2016 - 06:05:55 - Recording MP3 File: BYRON_HIGHWAY_83a.mp3

3/18/2016 - 06:05:59 - Recording Stopped. Recording Length = 00:04 CRC: 87 C1 AA 0C

3/18/2016 - 06:06:00 - Manually Disconnected from Call

3/18/2016 - 06:06:01 - Remote Notation By Parrish:
VM

3/18/2016 - 06:06:38 - Dialing Number [REDACTED]

3/18/2016 - 06:07:04 - Recording MP3 File: BYRON_HIGHWAY_84a.mp3

3/18/2016 - 06:07:07 - Recording Stopped. Recording Length = 00:02 CRC: CE B3 14 62

3/18/2016 - 06:07:07 - Manually Disconnected from Call

3/18/2016 - 06:07:42 - Dialing Number [REDACTED]

3/18/2016 - 06:08:08 - Recording MP3 File: BYRON_HIGHWAY_85a.mp3

3/18/2016 - 06:08:11 - Recording Stopped. Recording Length = 00:02 CRC: A3 9F 8A 11

3/18/2016 - 06:08:13 - Manually Disconnected from Call

3/18/2016 - 06:08:22 - Dialing Number [REDACTED]

3/18/2016 - 06:08:47 - Recording MP3 File: BYRON_HIGHWAY_86a.mp3

3/18/2016 - 06:08:50 - Recording Stopped. Recording Length = 00:03 CRC: 8D F5 5B 39

3/18/2016 - 06:08:50 - Manually Disconnected from Call

3/18/2016 - 06:09:39 - Dialing Number [REDACTED]

3/18/2016 - 06:10:07 - Recording MP3 File: BYRON_HIGHWAY_87a.mp3

3/18/2016 - 06:10:12 - Recording Stopped. Recording Length = 00:04 CRC: 3A 62 49 9F

3/18/2016 - 06:10:12 - Manually Disconnected from Call

3/18/2016 - 06:10:15 - Dialing Number [REDACTED]

3/18/2016 - 06:10:40 - Recording MP3 File: BYRON_HIGHWAY_88a.mp3

3/18/2016 - 06:10:43 - Recording Stopped. Recording Length = 00:02 CRC: 91 E7 67 6D

3/18/2016 - 06:10:44 - Manually Disconnected from Call

3/18/2016 - 06:10:53 - Dialing Number [REDACTED]

3/18/2016 - 06:11:24 - Recording MP3 File: BYRON_HIGHWAY_89a.mp3

3/18/2016 - 06:11:29 - Recording Stopped. Recording Length = 00:05 CRC: C4 D8 A7 E4

3/18/2016 - 06:11:31 - Manually Disconnected from Call

3/18/2016 - 06:11:49 - Dialing Number [REDACTED]

3/18/2016 - 06:12:10 - Remote Notation By Parrish:

Info obtained from prior calls with Mike (was unable to scribe real time due to application issues): Mike was severely negatively affected by his stay in jail when arrested earlier. Did not like the environment. Concerned that he would not be able to handle an extended stay. Also concerned about the length of the judicial process he's faced with. He thinks it will take 2 years. Very concerned about his family while he will be gone as well as his business. He believes his family depends on him and need his presence. Even concerned about who will take care of his 3 Italian Mastiff dogs in his absence. Fears he will become a burden on his family if he goes to jail.

3/18/2016 - 06:12:15 - Recording MP3 File: BYRON_HIGHWAY_90a.mp3

3/18/2016 - 06:12:18 - Recording Stopped. Recording Length = 00:03 CRC: 2D 0F 47 FA

3/18/2016 - 06:12:19 - Manually Disconnected from Call

3/18/2016 - 06:13:18 - Dialing Number: [REDACTED]

3/18/2016 - 06:13:44 - Recording MP3 File: BYRON_HIGHWAY_91a.mp3

3/18/2016 - 06:13:48 - Recording Stopped. Recording Length = 00:03 CRC: 7F 0C FC 8E

3/18/2016 - 06:13:49 - Manually Disconnected from Call

3/18/2016 - 06:14:13 - Dialing Number: [REDACTED]

3/18/2016 - 06:14:18 - Recording MP3 File: BYRON_HIGHWAY_92a.mp3

3/18/2016 - 06:14:25 - Recording Stopped. Recording Length = 00:07 CRC: 87 ED 6C C4

3/18/2016 - 06:14:25 - Manually Disconnected from Call

3/18/2016 - 06:14:42 - Dialing Number: [REDACTED]

3/18/2016 - 06:14:46 - Recording MP3 File: BYRON_HIGHWAY_93a.mp3

3/18/2016 - 06:14:51 - Recording Stopped. Recording Length = 00:04 CRC: 4B C5 AE 12

3/18/2016 - 06:14:51 - Manually Disconnected from Call

3/18/2016 - 06:16:30 - Dialing Number: [REDACTED]

3/18/2016 - 06:16:36 - Recording MP3 File: BYRON_HIGHWAY_94a.mp3

3/18/2016 - 06:16:51 - Recording Stopped. Recording Length = 00:15 CRC: 4B 28 53 3E

3/18/2016 - 06:16:52 - Manually Disconnected from Call

3/18/2016 - 06:34:42 - Dialing Number: [REDACTED]

3/18/2016 - 06:34:46 - Recording MP3 File: BYRON_HIGHWAY_95a.mp3

3/18/2016 - 06:34:50 - Recording Stopped. Recording Length = 00:03 CRC: D8 38 C8 E4

3/18/2016 - 06:34:50 - Manually Disconnected from Call

3/18/2016 - 06:35:05 - Remote Notation By Parrish:
VM

3/18/2016 - 06:37:45 - Dialing Number: [REDACTED]

3/18/2016 - 06:37:51 - Recording MP3 File: BYRON_HIGHWAY_96a.mp3

3/18/2016 - 06:37:54 - Recording Stopped. Recording Length = 00:03 CRC: A1 3C 93 33

3/18/2016 - 06:37:54 - Manually Disconnected from Call

3/18/2016 - 06:37:58 - Remote Notation By Parrish:
VM

3/18/2016 - 06:39:18 - Dialing Number: [REDACTED]

3/18/2016 - 06:39:26 - Recording MP3 File: BYRON_HIGHWAY_97a.mp3

3/18/2016 - 06:39:28 - Recording Stopped. Recording Length = 00:02 CRC: 58 B1 2A C0

3/18/2016 - 06:39:28 - Manually Disconnected from Call

3/18/2016 - 06:39:34 - Remote Notation By Parrish:
VM

3/18/2016 - 06:49:10 - Dialing Number: [REDACTED]

3/18/2016 - 06:49:17 - Recording MP3 File: BYRON_HIGHWAY_98a.mp3

3/18/2016 - 06:49:20 - Recording Stopped. Recording Length = 00:03 CRC: B6 12 61 5A

3/18/2016 - 06:49:21 - Manually Disconnected from Call

3/18/2016 - 06:57:37 - Dialing Number: [REDACTED]

3/18/2016 - 06:57:43 - Recording MP3 File: BYRON_HIGHWAY_99a.mp3

3/18/2016 - 06:57:46 - Recording Stopped. Recording Length = 00:02 CRC: 26 4D 6E F6

3/18/2016 - 06:57:47 - Manually Disconnected from Call

3/18/2016 - 06:57:47 - Remote Notation By Parrish:
VM

3/18/2016 - 07:05:11 - Dialing Number: [REDACTED]

3/18/2016 - 07:05:28 - Manually Disconnected from Call

3/18/2016 - 07:05:28 - Recording MP3 File: BYRON_HIGHWAY_100a.mp3

3/18/2016 - 07:05:42 - Recording Stopped. Recording Length = 00:14 CRC: 81 17 27 94

3/18/2016 - 07:05:51 - Dialing Number: [REDACTED]

3/18/2016 - 07:05:58 - Recording MP3 File: BYRON_HIGHWAY_101a.mp3

3/18/2016 - 07:06:02 - Recording Stopped. Recording Length = 00:03 CRC: 74 D1 68 F5

3/18/2016 - 07:06:02 - Manually Disconnected from Call

3/18/2016 - 07:09:20 - Dialing Number: [REDACTED]

3/18/2016 - 07:09:25 - Recording MP3 File: BYRON_HIGHWAY_102a.mp3

3/18/2016 - 07:09:27 - Recording Stopped. Recording Length = 00:02 CRC: 5F E8 AD F5

3/18/2016 - 07:09:28 - Manually Disconnected from Call

3/18/2016 - 07:09:32 - Remote Notation By Parrish:
VM

3/18/2016 - 07:14:52 - Dialing Number: [REDACTED]

3/18/2016 - 07:15:00 - Recording MP3 File: BYRON_HIGHWAY_103a.mp3

3/18/2016 - 07:15:02 - Recording Stopped. Recording Length = 00:02 CRC: 1E F0 17 76

3/18/2016 - 07:15:03 - Dialing Number: [REDACTED]

3/18/2016 - 07:15:03 - Manually Disconnected from Call

3/18/2016 - 07:18:18 - Dialing Number: [REDACTED]

3/18/2016 - 07:18:40 - Manually Disconnected from Call

3/18/2016 - 07:18:42 - Dialing Number: [REDACTED]

3/18/2016 - 07:18:45 - Recording MP3 File: BYRON_HIGHWAY_104a.mp3

3/18/2016 - 07:18:57 - Recording Stopped. Recording Length = 00:11 CRC: E0 CC 80 43

3/18/2016 - 07:18:58 - Manually Disconnected from Call

3/18/2016 - 07:19:04 - Dialing Number: [REDACTED]

3/18/2016 - 07:19:09 - Recording MP3 File: BYRON_HIGHWAY_105a.mp3

3/18/2016 - 07:19:13 - Recording Stopped. Recording Length = 00:03 CRC: FD 74 C5 95

3/18/2016 - 07:19:13 - Manually Disconnected from Call

3/18/2016 - 07:23:11 - Dialing Number: [REDACTED]

3/18/2016 - 07:23:20 - Recording MP3 File: BYRON_HIGHWAY_106a.mp3

3/18/2016 - 07:23:23 - Recording Stopped. Recording Length = 00:02 CRC: 28 2A CC 39

3/18/2016 - 07:23:23 - Dialing Number: [REDACTED]

3/18/2016 - 07:23:23 - Manually Disconnected from Call

3/18/2016 - 07:23:24 - Dialing Number: [REDACTED]

3/18/2016 - 07:23:28 - Manually Disconnected from Call

3/18/2016 - 07:23:35 - Remote Notation By Parrish:
VM

3/18/2016 - 07:29:00 - Dialing Number: [REDACTED]

3/18/2016 - 07:29:06 - Recording MP3 File: BYRON_HIGHWAY_107a.mp3
3/18/2016 - 07:29:09 - Recording Stopped. Recording Length = 00:02 CRC: 6B 34 60 85

3/18/2016 - 07:29:09 - Manually Disconnected from Call

3/18/2016 - 07:29:19 - Remote Notation By Parrish:
VM

3/18/2016 - 07:41:19 - Dialing Number: [REDACTED]

3/18/2016 - 07:41:25 - Recording MP3 File: BYRON_HIGHWAY_108a.mp3
3/18/2016 - 07:41:28 - Recording Stopped. Recording Length = 00:02 CRC: C6 35 3C 35

3/18/2016 - 07:41:29 - Manually Disconnected from Call

3/18/2016 - 07:41:33 - Remote Notation By Parrish:
VM

3/18/2016 - 07:45:47 - Dialing Number: [REDACTED]

3/18/2016 - 07:45:53 - Recording MP3 File: BYRON_HIGHWAY_109a.mp3
3/18/2016 - 07:45:56 - Recording Stopped. Recording Length = 00:02 CRC: 53 A6 11 F2

3/18/2016 - 07:45:56 - Manually Disconnected from Call

3/18/2016 - 07:51:20 - Dialing Number: [REDACTED]

3/18/2016 - 07:51:25 - Recording MP3 File: BYRON_HIGHWAY_110a.mp3
3/18/2016 - 07:51:28 - Recording Stopped. Recording Length = 00:02 CRC: B5 22 92 42

3/18/2016 - 07:51:29 - Manually Disconnected from Call

3/18/2016 - 07:56:02 - Dialing Number: [REDACTED]

3/18/2016 - 07:56:08 - Recording MP3 File: BYRON_HIGHWAY_111a.mp3
3/18/2016 - 07:56:11 - Recording Stopped. Recording Length = 00:02 CRC: E6 BA CB BF

3/18/2016 - 07:56:11 - Manually Disconnected from Call

3/18/2016 - 07:56:37 - Dialing Number: [REDACTED]

3/18/2016 - 07:56:41 - Recording MP3 File: BYRON_HIGHWAY_112a.mp3
3/18/2016 - 07:56:44 - Recording Stopped. Recording Length = 00:02 CRC: 3B D4 45 2B

3/18/2016 - 07:56:45 - Manually Disconnected from Call

3/18/2016 - 07:57:09 - Remote Notation By Parrish:
VM

3/18/2016 - 07:57:19 - Dialing Number: [REDACTED]

3/18/2016 - 07:57:25 - Recording MP3 File: BYRON_HIGHWAY_113a.mp3

3/18/2016 - 07:57:28 - Recording Stopped. Recording Length = 00:03 CRC: 47 86 E2 47

3/18/2016 - 07:57:29 - Manually Disconnected from Call

3/18/2016 - 07:57:37 - Remote Notation By Parrish:
VM

3/18/2016 - 07:58:21 - Dialing Number: [REDACTED]

3/18/2016 - 07:58:28 - Recording MP3 File: BYRON_HIGHWAY_114a.mp3

3/18/2016 - 07:58:31 - Recording Stopped. Recording Length = 00:02 CRC: 84 1D D9 33

3/18/2016 - 07:58:31 - Manually Disconnected from Call

3/18/2016 - 07:58:34 - Remote Notation By Parrish:
VM

3/18/2016 - 07:59:21 - Dialing Number: [REDACTED]

3/18/2016 - 07:59:27 - Recording MP3 File: BYRON_HIGHWAY_115a.mp3

3/18/2016 - 07:59:30 - Recording Stopped. Recording Length = 00:03 CRC: 54 72 49 81

3/18/2016 - 07:59:31 - Manually Disconnected from Call

3/18/2016 - 07:59:34 - Remote Notation By Parrish:
VM

3/18/2016 - 08:00:24 - Dialing Number: [REDACTED]

3/18/2016 - 08:00:30 - Recording MP3 File: BYRON_HIGHWAY_116a.mp3

3/18/2016 - 08:00:34 - Recording Stopped. Recording Length = 00:03 CRC: 24 E6 E4 49

3/18/2016 - 08:00:34 - Manually Disconnected from Call

3/18/2016 - 08:00:41 - Remote Notation By Parrish:
VM

3/18/2016 - 08:01:38 - Dialing Number: [REDACTED]

3/18/2016 - 08:01:44 - Recording MP3 File: BYRON_HIGHWAY_117a.mp3

3/18/2016 - 08:01:47 - Recording Stopped. Recording Length = 00:03 CRC: 6F 1F E1 A9

3/18/2016 - 08:01:48 - Manually Disconnected from Call

3/18/2016 - 08:01:55 - Remote Notation By Parrish:
VM

3/18/2016 - 08:02:46 - Dialing Number: [REDACTED]

3/18/2016 - 08:02:51 - Recording MP3 File: BYRON_HIGHWAY_118a.mp3

3/18/2016 - 08:02:56 - Recording Stopped. Recording Length = 00:04 CRC: 66 A8 E8 07

3/18/2016 - 08:02:57 - Manually Disconnected from Call

3/18/2016 - 08:03:00 - Remote Notation By Parrish:
VM

3/18/2016 - 08:03:59 - Remote Notation By Klawuhn:
Began LRAD announcements - 4 side

3/18/2016 - 08:04:42 - Dialing Number: [REDACTED]

3/18/2016 - 08:04:48 - Recording MP3 File: BYRON_HIGHWAY_119a.mp3

3/18/2016 - 08:04:51 - Recording Stopped. Recording Length = 00:03 CRC: 3C CB D5 53

3/18/2016 - 08:04:52 - Manually Disconnected from Call

3/18/2016 - 08:04:59 - Remote Notation By Parrish:
VM

3/18/2016 - 08:06:03 - Dialing Number: [REDACTED]

3/18/2016 - 08:06:11 - Recording MP3 File: BYRON_HIGHWAY_120a.mp3

3/18/2016 - 08:06:21 - Recording Stopped. Recording Length = 00:10 CRC: 1F 58 CD 06

3/18/2016 - 08:06:22 - Manually Disconnected from Call

3/18/2016 - 08:06:25 - Remote Notation By Parrish:
VM

3/18/2016 - 08:07:17 - Dialing Number: [REDACTED]

3/18/2016 - 08:07:25 - Recording MP3 File: BYRON_HIGHWAY_121a.mp3

3/18/2016 - 08:07:28 - Recording Stopped. Recording Length = 00:02 CRC: E7 42 22 17

3/18/2016 - 08:07:29 - Manually Disconnected from Call

3/18/2016 - 08:07:31 - Remote Notation By Klawuhn:
TPI and perimeter announcements made via LRAD. No response

3/18/2016 - 08:07:54 - Remote Notation By Klawuhn:
Correction - surrender announcement

3/18/2016 - 08:09:38 - Dialing Number [REDACTED]

3/18/2016 - 08:09:44 - Recording MP3 File: BYRON_HIGHWAY_122a.mp3
3/18/2016 - 08:09:47 - Recording Stopped. Recording Length = 00:03 CRC: F7 99 A2 65

3/18/2016 - 08:09:47 - Manually Disconnected from Call

3/18/2016 - 08:09:57 - Remote Notation By Parrish:
VM

3/18/2016 - 08:13:15 - Dialing Number [REDACTED]

3/18/2016 - 08:13:39 - Manually Disconnected from Call

3/18/2016 - 08:13:42 - Dialing Number [REDACTED]

3/18/2016 - 08:13:47 - Recording MP3 File: BYRON_HIGHWAY_123a.mp3
3/18/2016 - 08:13:50 - Recording Stopped. Recording Length = 00:03 CRC: 21 6A 37 E1

3/18/2016 - 08:13:50 - Manually Disconnected from Call

3/18/2016 - 08:13:57 - Remote Notation By Parrish:
VM

3/18/2016 - 08:15:38 - Dialing Number [REDACTED]

3/18/2016 - 08:15:47 - Recording MP3 File: BYRON_HIGHWAY_124a.mp3
3/18/2016 - 08:15:49 - Recording Stopped. Recording Length = 00:02 CRC: A7 63 74 6C

3/18/2016 - 08:15:50 - Manually Disconnected from Call

3/18/2016 - 08:15:56 - Remote Notation By Parrish:
VM

3/18/2016 - 08:16:12 - Remote Notation By Parrish:
TAC deployed sponge round

3/18/2016 - 08:16:15 - Dialing Number [REDACTED]

3/18/2016 - 08:16:26 - Recording MP3 File: BYRON_HIGHWAY_125a.mp3

3/18/2016 - 08:16:53 - (00:26) Remote Notation By Parrish:
Wants to talk with [REDACTED]

3/18/2016 - 08:17:11 - (00:45) Remote Notation By Parrish:
Heard LRAD TPI from [REDACTED]

3/18/2016 - 08:18:01 - (01:34) Remote Notation By Parrish:
Subj states "I'm not going to come out"

3/18/2016 - 08:19:22 - (02:56) Remote Notation By Parrish:
Says only way to end this is to speak with [REDACTED]

3/18/2016 - 08:20:01 - (03:34) Remote Notation By Parrish:
"My safety is the last thing on my mind"

3/18/2016 - 08:20:17 - (03:50) Remote Notation By Parrish:
"I'm not afraid to die"

3/18/2016 - 08:20:34 - (04:07) Remote Notation By Parrish:
GUN confirmed. In hand now.

3/18/2016 - 08:21:54 - (05:28) Remote Notation By Parrish:
Will not put down gun

3/18/2016 - 08:22:21 - (05:55) Remote Notation By Parrish:
says "possibly" when asked if 1056 with gun

3/18/2016 - 08:29:10 - (12:44) Remote Notation By Parrish:
Says our words mean nothing because he doesnt know us or trust us.

3/18/2016 - 08:29:19 - Recording Stopped. Recording Length = 12:53 CRC: D8 35 8B A3

3/18/2016 - 08:29:19 - Party Disconnected Call

3/18/2016 - 08:29:36 - Remote Notation By Parrish:
Subj hung up

3/18/2016 - 08:29:42 - Dialing Number [REDACTED]

3/18/2016 - 08:30:05 - Remote Notation By Klawuhn:
LRAD announcements

3/18/2016 - 08:30:09 - Recording MP3 File: BYRON_HIGHWAY_126a.mp3

3/18/2016 - 08:30:11 - Recording Stopped. Recording Length = 00:02 CRC: 70 FC 1B D7

3/18/2016 - 08:30:12 - Manually Disconnected from Call

3/18/2016 - 08:30:45 - Dialing Number: [REDACTED]

3/18/2016 - 08:31:05 - Remote Notation By Klawuhn:
Subject seen at the window by tactical

3/18/2016 - 08:31:12 - Recording MP3 File: BYRON_HIGHWAY_127a.mp3

3/18/2016 - 08:31:15 - Recording Stopped. Recording Length = 00:02 CRC: 73 4B 0D 50

3/18/2016 - 08:31:15 - Manually Disconnected from Call

3/18/2016 - 08:31:30 - Remote Notation By Klawuhn:
Subject seen at window by tactical

3/18/2016 - 08:31:36 - Dialing Number [REDACTED]

3/18/2016 - 08:32:01 - Recording MP3 File: BYRON_HIGHWAY_128a.mp3

3/18/2016 - 08:32:03 - Recording Stopped. Recording Length = 00:02 CRC: 3C C1 D0 26

3/18/2016 - 08:32:04 - Manually Disconnected from Call

3/18/2016 - 08:32:10 - Dialing Number: [REDACTED]

3/18/2016 - 08:32:37 - Recording MP3 File: BYRON_HIGHWAY_129a.mp3

3/18/2016 - 08:32:49 - Recording Stopped. Recording Length = 00:12 CRC: 23 97 26 E0

3/18/2016 - 08:32:50 - Manually Disconnected from Call

3/18/2016 - 08:32:56 - Dialing Number: [REDACTED]

3/18/2016 - 08:33:26 - Recording MP3 File: BYRON_HIGHWAY_130a.mp3

3/18/2016 - 08:33:34 - Recording Stopped. Recording Length = 00:08 CRC: E9 9F 93 3F

3/18/2016 - 08:33:36 - Manually Disconnected from Call

3/18/2016 - 08:33:50 - Dialing Number: [REDACTED]

3/18/2016 - 08:34:16 - Recording MP3 File: BYRON_HIGHWAY_131a.mp3

3/18/2016 - 08:34:19 - Recording Stopped. Recording Length = 00:03 CRC: A1 EF 18 8F

3/18/2016 - 08:34:21 - Manually Disconnected from Call

3/18/2016 - 08:34:28 - Dialing Number [REDACTED]

3/18/2016 - 08:34:51 - Recording MP3 File: BYRON_HIGHWAY_132a.mp3
3/18/2016 - 08:34:54 - Recording Stopped. Recording Length = 00:02 CRC: 18 0A 14 C2

3/18/2016 - 08:34:54 - Manually Disconnected from Call

3/18/2016 - 08:35:01 - Remote Notation By Parrish:
VM

3/18/2016 - 08:35:09 - Dialing Number: [REDACTED]

3/18/2016 - 08:35:35 - Recording MP3 File: BYRON_HIGHWAY_133a.mp3
3/18/2016 - 08:35:38 - Recording Stopped. Recording Length = 00:02 CRC: 9D 18 C6 9F

3/18/2016 - 08:35:39 - Manually Disconnected from Call

3/18/2016 - 08:35:52 - Dialing Number: [REDACTED]

3/18/2016 - 08:36:18 - Recording MP3 File: BYRON_HIGHWAY_134a.mp3
3/18/2016 - 08:36:24 - Recording Stopped. Recording Length = 00:06 CRC: 70 83 7B A8

3/18/2016 - 08:36:25 - Manually Disconnected from Call

3/18/2016 - 08:36:31 - Dialing Number: [REDACTED]

3/18/2016 - 08:36:56 - Manually Disconnected from Call

3/18/2016 - 08:37:03 - Dialing Number: [REDACTED]

3/18/2016 - 08:37:04 - Remote Notation By Parrish:
LRAD announcements cont'd

3/18/2016 - 08:37:10 - Manually Disconnected from Call

3/18/2016 - 08:37:17 - Dialing Number: [REDACTED]

3/18/2016 - 08:37:20 - Remote Notation By Parrish:
All above calls straight to VM

3/18/2016 - 08:37:43 - Recording MP3 File: BYRON_HIGHWAY_135a.mp3
3/18/2016 - 08:37:49 - Recording Stopped. Recording Length = 00:06 CRC: 56 DF 39 F3

3/18/2016 - 08:37:50 - Manually Disconnected from Call

3/18/2016 - 08:37:52 - Dialing Number: [REDACTED]

3/18/2016 - 08:38:18 - Manually Disconnected from Call

3/18/2016 - 08:38:20 - Dialing Number [REDACTED]

3/18/2016 - 08:38:43 - Recording MP3 File: BYRON_HIGHWAY_136a.mp3

3/18/2016 - 08:38:44 - Recording Stopped. Recording Length = 00:01 CRC: 53 4E 7F 1B

3/18/2016 - 08:38:44 - Party Disconnected Call

3/18/2016 - 08:38:56 - Dialing Number [REDACTED]

3/18/2016 - 08:39:01 - Remote Notation By Parrish:
hang up

3/18/2016 - 08:39:17 - Recording MP3 File: BYRON_HIGHWAY_137a.mp3

3/18/2016 - 08:39:21 - Recording Stopped. Recording Length = 00:03 CRC: 25 F1 FC E3

3/18/2016 - 08:39:21 - Manually Disconnected from Call

3/18/2016 - 08:39:22 - Remote Notation By Parrish:
VM

3/18/2016 - 08:39:24 - Dialing Number [REDACTED]

3/18/2016 - 08:39:36 - Recording MP3 File: BYRON_HIGHWAY_138a.mp3 CRC: 60 0A D0
90

3/18/2016 - 08:39:57 - (00:21) Remote Notation By Klawuhn:
Tactical deployment 4 side

3/18/2016 - 08:40:25 - (00:48) Remote Notation By Klawuhn:
tactical 10-22'd deployment

3/18/2016 - 08:41:11 - (01:35) Remote Notation By Parrish:
Says till has gun. refuses to put down

3/18/2016 - 08:43:03 - (03:26) Remote Notation By Parrish:
"Eventually u guys are going to come in here with force"

3/18/2016 - 08:43:47 - (04:11) Remote Notation By Parrish:
Won't put hands up

3/18/2016 - 08:44:15 - (04:39) Remote Notation By Parrish:
Says he will be of no use for the next few years. He will be a burden.

3/18/2016 - 08:52:26 - (12:49) Remote Notation By Parrish:
Still wants to talk with [REDACTED]

3/18/2016 - 08:54:36 - Sub Recording File BYRON_HIGHWAY_138b.mp3

3/18/2016 - 08:56:32 - (01:55) Remote Notation By Parrish:
Mike not responding'

3/18/2016 - 08:58:01 - Recording Stopped. Recording Length = 03:24 CRC: 15 C2 DA A0

3/18/2016 - 08:58:01 - Party Disconnected Call

3/18/2016 - 08:58:03 - Remote Notation By Parrish:
Still on line. Says he's done talking for now

3/18/2016 - 08:58:10 - Remote Notation By Parrish:
Hung up

3/18/2016 - 08:59:55 - Remote Notation By Muller:
Bangs to 4 side

3/18/2016 - 08:59:59 - Dialing Number: [REDACTED]

3/18/2016 - 09:00:04 - Remote Notation By Muller:
LRAD announcements

3/18/2016 - 09:00:25 - Recording MP3 File: BYRON_HIGHWAY_139a.mp3

3/18/2016 - 09:00:32 - Recording Stopped. Recording Length = 00:07 CRC: B7 ED F5 D6

3/18/2016 - 09:00:33 - Manually Disconnected from Call

3/18/2016 - 09:01:22 - Dialing Number: [REDACTED]

3/18/2016 - 09:01:48 - Recording MP3 File: BYRON_HIGHWAY_140a.mp3

3/18/2016 - 09:01:51 - Recording Stopped. Recording Length = 00:02 CRC: 7A 51 45 89

3/18/2016 - 09:01:52 - Manually Disconnected from Call

3/18/2016 - 09:02:14 - Dialing Number: [REDACTED]

3/18/2016 - 09:02:34 - Manually Disconnected from Call

3/18/2016 - 09:02:37 - Dialing Number: [REDACTED]

3/18/2016 - 09:02:42 - Remote Notation By Parrish:
unsuccessful

3/18/2016 - 09:02:51 - Remote Notation By Parrish:

call fail

3/18/2016 - 09:02:56 - Manually Disconnected from Call

3/18/2016 - 09:03:01 - Dialing Number: [REDACTED]

3/18/2016 - 09:03:28 - Recording MP3 File: BYRON_HIGHWAY_141a.mp3

3/18/2016 - 09:03:28 - (00:00) Remote Notation By Parrish:
ringing

3/18/2016 - 09:03:31 - Recording Stopped, Recording Length = 00:02 CRC: 37 0F 15 39

3/18/2016 - 09:03:31 - Remote Notation By Parrish:
VM

3/18/2016 - 09:03:31 - Manually Disconnected from Call

3/18/2016 - 09:03:37 - Dialing Number: [REDACTED]

3/18/2016 - 09:04:04 - Recording MP3 File: BYRON_HIGHWAY_142a.mp3

3/18/2016 - 09:04:06 - Recording Stopped, Recording Length = 00:02 CRC: 82 8F 23 54

3/18/2016 - 09:04:06 - Manually Disconnected from Call

3/18/2016 - 09:04:07 - Remote Notation By Parrish:
Vm

3/18/2016 - 09:04:17 - Dialing Number: [REDACTED]

3/18/2016 - 09:04:44 - Recording MP3 File: BYRON_HIGHWAY_143a.mp3

3/18/2016 - 09:04:47 - Recording Stopped, Recording Length = 00:03 CRC: E1 DB 48 81

3/18/2016 - 09:04:48 - Manually Disconnected from Call

3/18/2016 - 09:04:48 - Remote Notation By Parrish:
VM

3/18/2016 - 09:04:53 - Dialing Number: [REDACTED]

3/18/2016 - 09:05:18 - Recording MP3 File: BYRON_HIGHWAY_144a.mp3

3/18/2016 - 09:05:21 - Recording Stopped, Recording Length = 00:02 CRC: 2E CF 77 28

3/18/2016 - 09:05:21 - Manually Disconnected from Call

3/18/2016 - 09:05:22 - Remote Notation By Parrish:

VM

3/18/2016 - 09:05:43 - Dialing Number: [REDACTED]

3/18/2016 - 09:06:20 - Recording MP3 File: BYRON_HIGHWAY_145a.mp3

3/18/2016 - 09:06:25 - Recording Stopped. Recording Length = 00:04 CRC: 83 79 3D F8

3/18/2016 - 09:06:25 - Manually Disconnected from Call

3/18/2016 - 09:06:26 - Remote Notation By Parrish:

VM

3/18/2016 - 09:06:35 - Dialing Number: [REDACTED]

3/18/2016 - 09:07:01 - Recording MP3 File: BYRON_HIGHWAY_146a.mp3

3/18/2016 - 09:07:03 - Recording Stopped. Recording Length = 00:02 CRC: C1 42 D3 65

3/18/2016 - 09:07:04 - Remote Notation By Parrish:

VM

3/18/2016 - 09:07:04 - Manually Disconnected from Call

3/18/2016 - 09:07:11 - Dialing Number: [REDACTED]

3/18/2016 - 09:07:35 - Recording MP3 File: BYRON_HIGHWAY_147a.mp3

3/18/2016 - 09:07:40 - Recording Stopped. Recording Length = 00:05 CRC: 79 CC DE B3

3/18/2016 - 09:07:40 - Manually Disconnected from Call

3/18/2016 - 09:07:42 - Remote Notation By Parrish:

VM

3/18/2016 - 09:07:45 - Dialing Number: [REDACTED]

3/18/2016 - 09:08:11 - Recording MP3 File: BYRON_HIGHWAY_148a.mp3

3/18/2016 - 09:08:14 - Recording Stopped. Recording Length = 00:03 CRC: 2F B9 04 5E

3/18/2016 - 09:08:15 - Manually Disconnected from Call

3/18/2016 - 09:08:20 - Dialing Number: [REDACTED]

3/18/2016 - 09:08:46 - Recording MP3 File: BYRON_HIGHWAY_149a.mp3

3/18/2016 - 09:08:49 - Recording Stopped. Recording Length = 00:03 CRC: 6D 94 26 75

3/18/2016 - 09:08:50 - Manually Disconnected from Call

3/18/2016 - 09:08:54 - Remote Notation By Parrish:
VM

3/18/2016 - 09:08:57 - Dialing Number [REDACTED]

3/18/2016 - 09:09:07 - Recording MP3 File: BYRON_HIGHWAY_150a.mp3 CRC: 55 B6 67
64

3/18/2016 - 09:09:22 - (00:14) Remote Notation By Parrish:
On line

3/18/2016 - 09:10:03 - (00:56) Remote Notation By Parrish:
"Needs to talk to [REDACTED] to move fwd.

3/18/2016 - 09:10:17 - (01:09) Remote Notation By Parrish:
Want to talk about the "Situation"

3/18/2016 - 09:10:30 - (01:23) Remote Notation By Parrish:
Now asking us what we are afraid of

3/18/2016 - 09:10:53 - (01:46) Remote Notation By Parrish:
acknowledges our efforts. "but our words are empty"

3/18/2016 - 09:11:13 - (02:06) Remote Notation By Parrish:
Crying

3/18/2016 - 09:18:23 - (09:16) Remote Notation By Parrish:
Subj not responding

3/18/2016 - 09:20:57 - (11:50) Remote Notation By Parrish:
Still not responding

3/18/2016 - 09:22:57 - (13:50) Remote Notation By Parrish:
Multiple requests for acknowledgement unanswered.

3/18/2016 - 09:23:50 - (14:42) Remote Notation By Parrish:
nothing heard in background

3/18/2016 - 09:24:07 - Sub Recording File BYRON_HIGHWAY_150b.mp3 CRC: C6 40 3F
3F

3/18/2016 - 09:26:10 - (02:03) Remote Notation By Klawuhn:
LRAD announcements

3/18/2016 - 09:26:43 - (02:36) Remote Notation By Parrish:
Announcements heard by negotiators

3/18/2016 - 09:27:13 - (03:05) Remote Notation By Parrish:
Still no response

3/18/2016 - 09:29:29 - (05:21) Remote Notation By Parrish:
No response

3/18/2016 - 09:33:09 - (09:01) Remote Notation By Parrish:
No response

3/18/2016 - 09:36:04 - (11:56) Remote Notation By Klawuhn:
Tactical Deploying gas

3/18/2016 - 09:37:08 - (13:00) Remote Notation By Parrish:
Noises heard. Possibly TAC

3/18/2016 - 09:38:37 - (14:29) Remote Notation By Klawuhn:
Shots fired suspect down

3/18/2016 - 09:38:37 - (14:29) Remote Notation By Parrish:
SHots fired

3/18/2016 - 09:39:07 - Sub Recording File BYRON_HIGHWAY_150c.mp3

3/18/2016 - 09:39:20 - Recording Stopped. Recording Length = 00:12 CRC: A1 4C 2E 49

3/18/2016 - 09:39:21 - Manually Disconnected from Call

3/18/2016 - 09:41:54 - Remote Notation By Parrish:
Medical C3

RESUME from PAUSE: 3/18/2016 11:38:13 AM

Paused on 3/18/2016 at 9:46:01 AM

All files passed CRC on Resume.

3/18/2016 - 11:38:24 - Incident Number: BYRON_HIGHWAY Ended.

Total Number of Recordings = 153

Communications Recordings:

BYRON_HIGHWAY_1a.mp3	- 00:24	32 bit CRC = 7B A6 90 5C
BYRON_HIGHWAY_2a.mp3	- 00:11	32 bit CRC = 30 22 B0 F9
BYRON_HIGHWAY_3a.mp3	- 00:06	32 bit CRC = 7F CF 30 A2
BYRON_HIGHWAY_4a.mp3	- 00:03	32 bit CRC = 10 6E 51 D1

BYRON_HIGHWAY_5a.mp3	- 00:28	32 bit CRC = AA AC D9 F2
BYRON_HIGHWAY_6a.mp3	- 00:02	32 bit CRC = 5B 59 A4 27
BYRON_HIGHWAY_7a.mp3	- 00:02	32 bit CRC = 34 99 FF 5B
BYRON_HIGHWAY_8a.mp3	- 00:01	32 bit CRC = 9F FF 87 D2
BYRON_HIGHWAY_9a.mp3	- 00:01	32 bit CRC = F5 52 B3 39
BYRON_HIGHWAY_10a.mp3	- 00:02	32 bit CRC = C4 67 A6 6E
BYRON_HIGHWAY_11a.mp3	- 00:03	32 bit CRC = 75 FF 9D 02
BYRON_HIGHWAY_12a.mp3	- 00:06	32 bit CRC = 1A 0F 51 DF
BYRON_HIGHWAY_13a.mp3	- 00:25	32 bit CRC = E9 61 55 D3
BYRON_HIGHWAY_14a.mp3	- 00:03	32 bit CRC = A4 C1 F8 8B
BYRON_HIGHWAY_15a.mp3	- 00:03	32 bit CRC = 9D F4 1D 52
BYRON_HIGHWAY_16a.mp3	- 00:02	32 bit CRC = DB FF 84 A7
BYRON_HIGHWAY_17a.mp3	- 00:33	32 bit CRC = B4 49 C3 36
BYRON_HIGHWAY_18a.mp3	- 00:03	32 bit CRC = B4 D0 DA D1
BYRON_HIGHWAY_19a.mp3	- 00:04	32 bit CRC = ED 62 9B 7A
BYRON_HIGHWAY_20a.mp3	- 00:03	32 bit CRC = 20 DC B3 B7
BYRON_HIGHWAY_21a.mp3	- 00:07	32 bit CRC = 77 1A 90 EB
BYRON_HIGHWAY_22a.mp3	- 00:07	32 bit CRC = 4F B9 02 CC
BYRON_HIGHWAY_23a.mp3	- 00:05	32 bit CRC = 91 9E 90 A2
BYRON_HIGHWAY_24a.mp3	- 00:32	32 bit CRC = D3 AF DE 36
BYRON_HIGHWAY_25a.mp3	- 00:01	32 bit CRC = 8E 30 7A BA
BYRON_HIGHWAY_26a.mp3	- 00:04	32 bit CRC = 69 60 79 2E
BYRON_HIGHWAY_27a.mp3	- 00:06	32 bit CRC = BB 2C C8 FD
BYRON_HIGHWAY_28a.mp3	- 00:05	32 bit CRC = 51 A8 83 EA
BYRON_HIGHWAY_29a.mp3	- 00:04	32 bit CRC = 7D 23 55 03
BYRON_HIGHWAY_30a.mp3	- 00:59	32 bit CRC = F2 F8 61 98
BYRON_HIGHWAY_31a.mp3	- 00:05	32 bit CRC = 63 46 E6 9C
BYRON_HIGHWAY_32a.mp3	- 00:05	32 bit CRC = 58 B5 69 15
BYRON_HIGHWAY_33a.mp3	- 00:05	32 bit CRC = 51 4D CA DA
BYRON_HIGHWAY_34a.mp3	- 00:32	32 bit CRC = 1D CF AE 8E
BYRON_HIGHWAY_35a.mp3	- 00:05	32 bit CRC = D4 80 D7 10
BYRON_HIGHWAY_36a.mp3	- 00:05	32 bit CRC = C7 90 2F FE
BYRON_HIGHWAY_37a.mp3	- 00:05	32 bit CRC = 16 7E 80 8C
BYRON_HIGHWAY_38a.mp3	- 00:07	32 bit CRC = A1 4E CD 62
BYRON_HIGHWAY_39a.mp3	- 00:31	32 bit CRC = 10 13 0B FD
BYRON_HIGHWAY_40a.mp3	- 00:07	32 bit CRC = BB FC C6 47
BYRON_HIGHWAY_41a.mp3	- 00:13	32 bit CRC = 8D E0 60 63
BYRON_HIGHWAY_42a.mp3	- 00:04	32 bit CRC = 2F 1E 83 FB
BYRON_HIGHWAY_43a.mp3	- 00:03	32 bit CRC = 4A E6 CE 47
BYRON_HIGHWAY_44a.mp3	- 00:06	32 bit CRC = BE 07 F0 0D
BYRON_HIGHWAY_45a.mp3	- 00:09	32 bit CRC = ED 40 CC 8E
BYRON_HIGHWAY_46a.mp3	- 00:04	32 bit CRC = 98 65 37 2F
BYRON_HIGHWAY_47a.mp3	- 00:14	32 bit CRC = FB BA C7 4D
BYRON_HIGHWAY_48a.mp3	- 00:09	32 bit CRC = 98 06 D0 5A
BYRON_HIGHWAY_49a.mp3	- 00:05	32 bit CRC = FC 7B 45 82
BYRON_HIGHWAY_50a.mp3	- 00:03	32 bit CRC = 6B B8 3A 7D

BYRON_HIGHWAY_51a.mp3	- 00:05	32 bit CRC = F3 AF A1 4F
BYRON_HIGHWAY_52a.mp3	- 00:02	32 bit CRC = A5 9D 20 7C
BYRON_HIGHWAY_53a.mp3	- 00:02	32 bit CRC = 4E E6 C8 0A
BYRON_HIGHWAY_54a.mp3	- 00:03	32 bit CRC = D2 4A FF B9
BYRON_HIGHWAY_55a.mp3	- 00:24	32 bit CRC = 31 39 42 ED
BYRON_HIGHWAY_56a.mp3	- 00:03	32 bit CRC = 2F 07 3F DE
BYRON_HIGHWAY_57a.mp3	- 00:02	32 bit CRC = 2D 23 3E 00
BYRON_HIGHWAY_58a.mp3	- 00:04	32 bit CRC = 20 8D D4 1A
BYRON_HIGHWAY_59a.mp3	- 00:02	32 bit CRC = 23 2B 7A BA
BYRON_HIGHWAY_60a.mp3	- 12:35	32 bit CRC = 1F 9B 09 7C
BYRON_HIGHWAY_61a.mp3	- 00:03	32 bit CRC = 47 0A B8 9F
BYRON_HIGHWAY_62a.mp3	- 00:04	32 bit CRC = DA 2F 72 80
BYRON_HIGHWAY_63a.mp3	- 00:02	32 bit CRC = D1 A9 BE 3B
BYRON_HIGHWAY_64a.mp3	- 00:03	32 bit CRC = 51 58 EE 83
BYRON_HIGHWAY_65a.mp3	- 00:03	32 bit CRC = 53 A0 BE 7E
BYRON_HIGHWAY_66a.mp3	- 00:12	32 bit CRC = 84 1F 11 D5
BYRON_HIGHWAY_67a.mp3	- 00:02	32 bit CRC = F8 E8 26 93
BYRON_HIGHWAY_68a.mp3	- 00:04	32 bit CRC = 75 D8 19 AB
BYRON_HIGHWAY_69a.mp3	- 00:04	32 bit CRC = 24 6E AE 8A
BYRON_HIGHWAY_70a.mp3	- 00:03	32 bit CRC = 21 E7 E2 E1
BYRON_HIGHWAY_71a.mp3	- 02:02	32 bit CRC = 8A E6 57 AC
BYRON_HIGHWAY_72a.mp3	- 00:02	32 bit CRC = B5 0C B2 B8
BYRON_HIGHWAY_73a.mp3	- 00:07	32 bit CRC = 67 DA EB E0
BYRON_HIGHWAY_74a.mp3	- 00:07	32 bit CRC = D1 53 DA 4C
BYRON_HIGHWAY_75a.mp3	- 00:03	32 bit CRC = 6A 6C 59 BC
BYRON_HIGHWAY_76a.mp3	- 00:03	32 bit CRC = B2 20 E1 90
BYRON_HIGHWAY_77a.mp3	- 00:03	32 bit CRC = 3C A3 63 4D
BYRON_HIGHWAY_78a.mp3	- 00:04	32 bit CRC = B8 BE 3D 22
BYRON_HIGHWAY_79a.mp3	- 12:34	32 bit CRC = A4 93 66 E9
BYRON_HIGHWAY_80a.mp3	- 11:46	32 bit CRC = 11 81 E9 F1
BYRON_HIGHWAY_81a.mp3	- 00:03	32 bit CRC = 2A 6A 84 9E
BYRON_HIGHWAY_82a.mp3	- 00:03	32 bit CRC = 2E 35 CD C0
BYRON_HIGHWAY_83a.mp3	- 00:04	32 bit CRC = 87 C1 AA 0C
BYRON_HIGHWAY_84a.mp3	- 00:02	32 bit CRC = CE B3 14 62
BYRON_HIGHWAY_85a.mp3	- 00:02	32 bit CRC = A3 9F 8A 11
BYRON_HIGHWAY_86a.mp3	- 00:03	32 bit CRC = 8D F5 5B 39
BYRON_HIGHWAY_87a.mp3	- 00:04	32 bit CRC = 3A 62 49 9F
BYRON_HIGHWAY_88a.mp3	- 00:02	32 bit CRC = 91 E7 67 6D
BYRON_HIGHWAY_89a.mp3	- 00:05	32 bit CRC = C4 D8 A7 E4
BYRON_HIGHWAY_90a.mp3	- 00:03	32 bit CRC = 2D 0F 47 FA
BYRON_HIGHWAY_91a.mp3	- 00:03	32 bit CRC = 7F 0C FC 8E
BYRON_HIGHWAY_92a.mp3	- 00:07	32 bit CRC = 87 ED 6C C4
BYRON_HIGHWAY_93a.mp3	- 00:04	32 bit CRC = 4B C5 AE 12
BYRON_HIGHWAY_94a.mp3	- 00:15	32 bit CRC = 4B 28 53 3E
BYRON_HIGHWAY_95a.mp3	- 00:03	32 bit CRC = D8 38 C8 E4
BYRON_HIGHWAY_96a.mp3	- 00:03	32 bit CRC = A1 3C 93 33

BYRON_HIGHWAY_97a.mp3	- 00:02	32 bit CRC = 58 B1 2A C0
BYRON_HIGHWAY_98a.mp3	- 00:03	32 bit CRC = B6 12 61 5A
BYRON_HIGHWAY_99a.mp3	- 00:02	32 bit CRC = 26 4D 6E F6
BYRON_HIGHWAY_100a.mp3	- 00:14	32 bit CRC = 81 17 27 94
BYRON_HIGHWAY_101a.mp3	- 00:03	32 bit CRC = 74 D1 68 F5
BYRON_HIGHWAY_102a.mp3	- 00:02	32 bit CRC = 5F E8 AD F5
BYRON_HIGHWAY_103a.mp3	- 00:02	32 bit CRC = 1E F0 17 76
BYRON_HIGHWAY_104a.mp3	- 00:11	32 bit CRC = E0 CC 80 43
BYRON_HIGHWAY_105a.mp3	- 00:03	32 bit CRC = FD 74 C5 95
BYRON_HIGHWAY_106a.mp3	- 00:02	32 bit CRC = 28 2A CC 39
BYRON_HIGHWAY_107a.mp3	- 00:02	32 bit CRC = 6B 34 60 85
BYRON_HIGHWAY_108a.mp3	- 00:02	32 bit CRC = C6 35 3C 35
BYRON_HIGHWAY_109a.mp3	- 00:02	32 bit CRC = 53 A6 11 F2
BYRON_HIGHWAY_110a.mp3	- 00:02	32 bit CRC = B5 22 92 42
BYRON_HIGHWAY_111a.mp3	- 00:02	32 bit CRC = E6 BA CB BF
BYRON_HIGHWAY_112a.mp3	- 00:02	32 bit CRC = 3B D4 45 2B
BYRON_HIGHWAY_113a.mp3	- 00:03	32 bit CRC = 47 86 E2 47
BYRON_HIGHWAY_114a.mp3	- 00:02	32 bit CRC = 84 1D D9 33
BYRON_HIGHWAY_115a.mp3	- 00:03	32 bit CRC = 54 72 49 81
BYRON_HIGHWAY_116a.mp3	- 00:03	32 bit CRC = 24 E6 E4 49
BYRON_HIGHWAY_117a.mp3	- 00:03	32 bit CRC = 6F 1F E1 A9
BYRON_HIGHWAY_118a.mp3	- 00:04	32 bit CRC = 66 A8 E8 07
BYRON_HIGHWAY_119a.mp3	- 00:03	32 bit CRC = 3C CB D5 53
BYRON_HIGHWAY_120a.mp3	- 00:10	32 bit CRC = 1F 58 CD 06
BYRON_HIGHWAY_121a.mp3	- 00:02	32 bit CRC = E7 42 22 17
BYRON_HIGHWAY_122a.mp3	- 00:03	32 bit CRC = F7 99 A2 65
BYRON_HIGHWAY_123a.mp3	- 00:03	32 bit CRC = 21 6A 37 E1
BYRON_HIGHWAY_124a.mp3	- 00:02	32 bit CRC = A7 63 74 6C
BYRON_HIGHWAY_125a.mp3	- 12:53	32 bit CRC = D8 35 8B A3
BYRON_HIGHWAY_126a.mp3	- 00:02	32 bit CRC = 70 FC 1B D7
BYRON_HIGHWAY_127a.mp3	- 00:02	32 bit CRC = 73 4B 0D 50
BYRON_HIGHWAY_128a.mp3	- 00:02	32 bit CRC = 3C C1 D0 26
BYRON_HIGHWAY_129a.mp3	- 00:12	32 bit CRC = 23 97 26 E0
BYRON_HIGHWAY_130a.mp3	- 00:08	32 bit CRC = E9 9F 93 3F
BYRON_HIGHWAY_131a.mp3	- 00:03	32 bit CRC = A1 EF 18 8F
BYRON_HIGHWAY_132a.mp3	- 00:02	32 bit CRC = 18 0A 14 C2
BYRON_HIGHWAY_133a.mp3	- 00:02	32 bit CRC = 9D 18 C6 9F
BYRON_HIGHWAY_134a.mp3	- 00:06	32 bit CRC = 70 83 7B A8
BYRON_HIGHWAY_135a.mp3	- 00:06	32 bit CRC = 56 DF 39 F3
BYRON_HIGHWAY_136a.mp3	- 00:01	32 bit CRC = 53 4E 7F 1B
BYRON_HIGHWAY_137a.mp3	- 00:03	32 bit CRC = 25 F1 FC E3
BYRON_HIGHWAY_138a.mp3	- 15:00	32 bit CRC = 60 0A D0 90
BYRON_HIGHWAY_138b.mp3	- 03:24	32 bit CRC = 15 C2 DA A0
BYRON_HIGHWAY_139a.mp3	- 00:07	32 bit CRC = B7 ED F5 D6
BYRON_HIGHWAY_140a.mp3	- 00:02	32 bit CRC = 7A 51 45 89
BYRON_HIGHWAY_141a.mp3	- 00:02	32 bit CRC = 37 0F 15 39

BYRON_HIGHWAY_142a.mp3 - 00:02 32 bit CRC = 82 8F 23 54
BYRON_HIGHWAY_143a.mp3 - 00:03 32 bit CRC = E1 DB 48 81
BYRON_HIGHWAY_144a.mp3 - 00:02 32 bit CRC = 2E CF 77 28
BYRON_HIGHWAY_145a.mp3 - 00:04 32 bit CRC = 83 79 3D F8
BYRON_HIGHWAY_146a.mp3 - 00:02 32 bit CRC = C1 42 D3 65
BYRON_HIGHWAY_147a.mp3 - 00:05 32 bit CRC = 79 CC DE B3
BYRON_HIGHWAY_148a.mp3 - 00:03 32 bit CRC = 2F B9 04 5E
BYRON_HIGHWAY_149a.mp3 - 00:03 32 bit CRC = 6D 94 26 75
BYRON_HIGHWAY_150a.mp3 - 15:00 32 bit CRC = 55 B6 67 64
BYRON_HIGHWAY_150b.mp3 - 15:00 32 bit CRC = C6 40 3F 3F
BYRON_HIGHWAY_150c.mp3 - 00:12 32 bit CRC = A1 4C 2E 49

----- **END LOG** -----

16-175-1



Forensic Services Division
 Contra Costa County Office of the Sheriff
 2530 Arnold Drive, Suite 200, Martinez, CA 94553
 Telephone: (925) 335-1600 Fax: (925) 335-1601



Confidential

REPORT OF LABORATORY EXAMINATION

Laboratory No.:	16-175-1	Agency:	Contra Costa Sheriff
Issue Date:	5/17/2016	Agency Case No.:	16-4105
Service:	Death	Requested by:	Beltran, Jose
Request Date:	3/18/2016	Case Type:	Death
Suspect(s):	Mallett, Mike	Complainant(s):	None Listed
Related Agencies:	16-1357	Coroner's Office	
	1A16-18	Contra Costa Sheriff	

Report of Field Services

On March 18, 2016, I was requested by Forensic Manager D. McKillop to process the scene of an officer involved shooting that occurred in Byron. Criminalists S. Jeffries, A. Tafly, D. Chan, and Crime Scene Investigator C. Crain responded to assist. We arrived at the scene at approximately 11:55 a.m. CCCSO Sgt. M. Klawuhn told me the following details of the case as they were known at the time:

Deputies from the CCCSO served an arrest warrant to the suspect, identified as Michael Mallet, the night prior. Mallet held his family as hostages and barricaded himself in his home. Deputies were able to negotiate the release of the family; however, Mallet remained barricaded in his home. The SWAT team was dispatched. On the morning of March 18th, Deputies fired tear gas into the residence to draw Mallet out. Mallet reportedly exited the residence through the back window and encountered Deputies. Mallet reportedly pointed a pistol at Deputies. Deputy Rossi and Sgts. Welch and Johnson reportedly fired at Mallet striking him multiple times. Deputies rendered aid on Mallet, but he was pronounced dead by Emergency Personnel at the scene.

The command station was located near the intersection of the Byron Highway and Hoffman Lane. Capt. Hoffman requested us to collect the written correspondence between Mallet and Deputies as well as photograph various boards inside the command station. Sgt. Benavides showed us a fired cartridge case headstamped "Hornady 308 WIN match" that was located underneath a Danville PD patrol vehicle (#21 WC1) parked adjacent to the command station. The fired cartridge case was collected; however none of the reported fired weapons were 308 caliber.

The scene was comprised of the residence and backyard at 2700 Hoffman Lane. The residence was a two-story, single-family dwelling on the south side of the street. A large area of open space surrounded the property. A three car garage was located on the east side of the residence. The garage door was propped open with a ladder. The south door of the garage was open leading to the backyard. A bucket inside the garage contained four empty tear gas canisters that Deputies reportedly fired into the house. The canisters were collected. The shooting reportedly occurred in the backyard located on the west side of the residence.

CCCSO SWAT team snipers were stationed at strategic areas throughout the property. Reportedly, no sniper shot during the incident. The Laboratory was requested to document each sniper and his rifle(s) with photographs and notes.

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Parked in front of the garage was Pittsburg PD SWAT team's bearcat vehicle (CA license# 1287862). The engine was off and the doors were locked. The bearcat was unlocked and documented with photographs. Parked in the west end of the residence was the CCCSO SWAT team's bearcat vehicle (CA license# 1206144). The engine was off and the front doors and back hatch were open. The bearcat was documented with photographs.

Crain processed Deputy Rossi, Sgt. Welch, and Sgt. Johnson with photographs and notes and collected their rifles. No visible injuries were observed on Dep. Rossi and Sgt. Johnson. A small abrasion was observed on Sgt. Welch's left index finger reportedly from handcuffing Mallet. A GSR kit was collected of Rossi's, Welch's, and Johnson's hands. The following weapons were collected from the CCCSO SWAT team's Bearcat vehicle:

1. Rossi's Colt rifle, model M4 Carbine, 5.56mm caliber, serial number LE475968. The safety was on. The seated ammunition magazine held 23 cartridges and one cartridge was in the chamber.
2. Johnson's Colt rifle, model M4LE, 5.56mm caliber, serial number LE038241. The safety was on. The seated ammunition magazine held 23 cartridges and one cartridge was in the chamber. Two magazines each holding 29 cartridges were lying next to the rifle.
3. Welch's Colt rifle, model M4 Carbine, 5.56mm caliber, serial number LE475952. The safety was on. The seated ammunition magazine held 16 cartridges and one cartridge was in the chamber.

Mallet was documented at the scene in an ambulance (CCC Fire EMS Vehicle# 22180). He was lying on a gurney. Mallet was a Caucasian male with a brown head and facial hair. He was wearing black colored underwear. Miscellaneous medical equipment was observed on his body. Blood was observed at different concentrations on various areas throughout his body. A pool of blood was observed underneath him. Wounds were observed in numerous areas of his body (refer to Lab# 16-175-8 and Coroner's case#16-1357 for more information regarding Mallet's autopsy). A GSR kit was collected from Mallet's hands. Mallet was documented with notes and photographs.

The backyard of the residence was comprised of an awning, a grill, and patio furniture. High brush grew throughout the property. The CCCSO SWAT team bearcat was parked on the northwest side of the backyard. Miscellaneous SWAT gear was observed throughout the backyard.

In and near the brush on the north side of the backyard, nine fired rifle caliber cartridge cases headstamped "WCC 13" (cones 1,4,5,22,29,30,31, and 32) and one fired rifle caliber cartridge case headstamped "WCC 14" (cone 6) were collected.

East of the cartridge cases was the backdoor. The glass backdoor was open; reportedly it was closed during the shooting. The glass backdoor had cracks with a large hole observed on the center of the door with two ovoid holes near the bottom of the door. Glass fragments were observed surrounding the door. In front of the door, two gas canister pins were collected as well as the pistol that Mallet reportedly pointed at Deputies (cone 8). The pistol, a Sig Sauer pistol, model P239, 9x19mm caliber, serial number SA4-603369 had no magazine seated and

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no cartridge in the chamber. Apparent bullet impacts on the wall adjacent to the door and three apparent bullet impacts on the floor adjacent to the door were documented. A lead core fragment adjacent to the bullet impacts was collected. The handcuffs that were reportedly used on Mallet, his pants that had a knife in a pocket, and two copper jacket fragments were collected southwest of the backdoor.

The window Mallet reportedly exited when he encountered Deputies was located directly south of the backdoor. A wicker chair was observed between the backdoor and the window (cone 15). On the chair was an "L-RAD 100x" communication device. This was the device reportedly used by Deputies to communicate with Mallet. An apparent bullet impact was observed on the device. Numerous holes were observed on the wicker chair that may have been caused by bullet impacts. The impacts and holes were photographed. An empty gas canister (cone 17) was collected from underneath the window.

Mallet's reported shoes, socks, as well as miscellaneous medical equipment, a lead core fragment (cone 28), and an apparent bloodstain were on the ground adjacent to the wicker chair. The shoes were "Rugged Exposure" brand size 8.5 US. Two holes were observed on the left shoe. An approximate 4.5 cm diameter hole was observed on the toe region of the shoe and a 2 cm diameter hole was observed on top of the sole. The socks were dark grey in color. Three holes were observed on one of the socks and a copper jacket fragment was collected from inside the sock. The socks, shoes, lead core fragment, and copper jacket fragment was collected.

The CCCSO patrol vehicle (#3403) was parked in the brush located in the southern area of the yard. The front driver's, front passenger, and rear driver's side door were open and the patrol vehicle was facing the back door of the house. Rossi reportedly was standing behind the front passenger door during the shooting. The engine was off and the overhead lights were off. The patrol car was searched, and a magazine (#1026) was located on the front passenger's side dashboard. The magazine was loaded with 28 cartridges headstamped "WCC 14 +" and collected. Directly south of the front passenger's door, three fired rifle caliber cartridge cases headstamped "WCC 13" (cones 25 through 27) were collected.

The Laboratory was requested to assist detectives in searching the residence. The residence is a five bedroom, four bathroom two story home. Gas canister fragments were collected in the downstairs hallway and master bedroom. The residence still contained residue from tear gas in the air. The master suite was on the first floor on the south side of the residence. The suite appeared cluttered and dirty. One of the French doors on the eastern wall was shattered. An apparent impact was observed on the west wall, the damage was reportedly caused by a gas canister shot into the room. Upstairs, two French doors had a chain and lock around the doorknobs. It appeared to be used in order to keep the doors from opening. Through these doors was a large room that appeared to be used as living quarters. The room was cluttered, and dirty. Various electronics were documented and collected. Miscellaneous items were collected from the residence that included: a box containing 35 cartridges headstamped "WIN 9mm Luger" from the master closet, a plastic case containing 85 cartridges headstamped "380 AUTO" from the upstairs south east room, a pillowcase with an apparent bloodstain on it from the second floor bedroom, and two journals with apparent children's handwriting.

We documented the scene with notes, sketches, and photographs. Criminalist A. Taflya documented the scene with a 3D laser scanner. We left the scene at approximately 9:00 p.m and returned to the Laboratory.

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Swabs for Contact DNA were later collected from Mallet's reported Sig Sauer pistol and placed into a manila envelope (Submission 8-1).

Evidence: (Outer package(s) are tape sealed unless otherwise stated)

Submission #	Other ID
7	Cardboard box: Electronics recovered from house
7-1	Dell inspiron computer tower
7-2	iphone from master bedroom
7-3	ipad from living room
7-4	ipod from master bedroom nightstand
7-5	ipad from master bathroom
7-6	Hard drive from master bedroom desk
7-7	Suspect's wife's cell phone
7-8	iphone from 2nd floor bedroom
7-9	Samsung tablet PC from 2nd floor bedroom
8	Cardboard box: Sig Sauer pistol, model P239, 9x19mm caliber, serial number SA4-603369 from cone 8
8-1	Paper bag: Swabs from pistol
9	Cardboard box: Colt rifle, model M4 Carbine, 5.56mm caliber, serial number LE475968; magazine; unfired cartridges
10	Cardboard box: Colt rifle, model M4LE, 5.56mm caliber, serial number LE038241; three magazines; unfired cartridges
11	Cardboard box: Colt rifle, model M4 Carbine, 5.56mm caliber, serial number LE475952; magazine; unfired cartridges
12	Paper bag: Notes and letters exchanged by suspect and deputies
13	Cardboard box: Gas canisters and canister fragments recovered from scene
13-1	Soil envelope: Empty canister from backyard cone 17
13-2	Manila envelope: Gas canister fragment from inside rear master bedroom french doors
13-3	Manila envelope: Gas canister fragment from downstairs hallway
13-4	Paper bag: Gas canister and fragment from outside bedroom
13-5	Paper bag: 4 empty gas canisters from trashcan in garage
14	Paper bag: GSR kits from suspect and victims
14-1	GSR Kit: Suspect M. Mallet
14-2	GSR Kit: M. Johnson
14-3	GSR Kit: S. Welch
14-4	GSR Kit: A. Rossi
16	Cardboard box: Suspect's clothing and shoes
17	Cardboard box: Items removed from house
15	Paper bag: Black notebook from pink room in south side of house
17-1	Paper bag: Brown holster under master bed
17-2	Paper bag: Hello Kitty pillowcase from 2nd floor bedroom
17-3	Paper bag: Journal and diary from 2nd floor north east bedroom

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17-4	Paper bag: 1 box containing 35 cartridges head stamped "WIN 9mm Luger" from master closet
17-5	Paper bag: 1 plastic case box containing 85 cartridges head stamped "380 auto" from 2nd floor south east bedroom
17-6	Paper bag: Chain and lock from upstairs hallway door
17-7	Soil envelope: Letter from "Gina" from Dresser
18	Paper bag: Fired cartridge cases, bullet fragments, canister pins, and cuffs
18-1	Soil envelope: Fired cartridge case headstamped "Hornady 308 WIN MATCH" under Danville PD SUV
18-2	Soil envelope: Fired cartridge case headstamped "WCC 13" cone 1
18-3	Soil envelope: Fired cartridge case headstamped "WCC 13" cone 4
18-4	Soil envelope: Gas grenade pin cone 7
18-5	Soil envelope: Fired cartridge case headstamped "WCC 13" cone 5
18-6	Soil envelope: Fired cartridge case headstamped "WCC 14" cone 6
18-7	Soil envelope: Pair of handcuffs cone 9
18-8	Soil envelope: Copper jacket fragment cone 10
18-9	Soil envelope: Gas grenade pin cone 13
18-10	Soil envelope: Lead core fragment cone 19
18-11	Soil envelope: Fired cartridge case headstamped "WCC 13" cone 22
18-12	Soil envelope: Copper jacket fragment cone 23
18-13	Soil envelope: Fired cartridge case headstamped "WCC 13" cone 25
18-14	Soil envelope: Fired cartridge case headstamped "WCC 13" cone 26
18-15	Soil envelope: Fired cartridge case headstamped "WCC 13" cone 27
18-16	Soil envelope: Lead core fragments cone 28
18-17	Soil envelope: Fired cartridge case headstamped "WCC 13" cone 29
18-18	Soil envelope: Fired cartridge case headstamped "WCC 13" cone 30
18-19	Soil envelope: Fired cartridge case headstamped "WCC 13" cone 31
18-20	Soil envelope: Fired cartridge case headstamped "WCC 13" cone 32
18-21	Soil envelope: Copper jacket fragment from suspect's sock
20	Paper bag: Magazine from front dash of patrol car#3403

Disposition:

Submissions 8, 9, 10, 11, and 18 were forwarded to the Comparative Evidence Unit for examination. Submission 20 was returned to Deputy Rossi. Submission 7 was transferred to Det. Busch. Submissions 8-1, 12, 13, 14, 16, and 17 were forwarded to Property Services for storage. 970 digital images were uploaded into the Laboratory's digital media server for storage.

Two sets of DVD's containing the digital photographs were made and transferred to CCCSO Det. C. Busch and Lt. J. Beltran.

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Analyst:

Tuan Nguyen
Criminalist

Date: May 17, 2016

Administrative Reviewer:

Donald Finley
Forensic Supervisor

Date: May 17, 2016

16-175-8



Forensic Services Division
 Contra Costa County Office of the Sheriff
 2530 Arnold Drive, Suite 200, Martinez, CA 94553
 Telephone: (925) 335-1600 Fax: (925) 335-1601



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REPORT OF LABORATORY EXAMINATION

Laboratory No.:	16-175-8	Agency:	Contra Costa Sheriff
Issue Date:	4/25/2016	Agency Case No.:	16-4105
Service:	Autopsy	Requested by:	Beltran, Jose
Request Date:	3/21/2016	Case Type:	Death
Suspect(s):	Mallett, Mike	Complainant(s):	None Listed
Related Agencies:			
	16-1357	Coroner's Office	
	IA16-18	Contra Costa Sheriff	

Report of Field Services

On March 21, 2016, I was requested by Lieutenant Beltran to document the autopsy of Mallett. Criminalist Ocampo-Fields was assigned to assist. We arrived at the Coroner's Office at approximately 0750 hours. Dr. Josselson performed the autopsy and was assisted by S. Jagoda and medical students. Detectives Busch and Root, and an investigator from the District Attorney's Office, were also present. Detective Busch provided the details as they were known at the time:

Mallett barricaded himself inside his residence for several hours. The SWAT Team responded and deployed gas inside the residence. Mallett reportedly exited the residence through a bathroom window with a weapon in his hand. Mallett was shot by members of the SWAT Team after he reportedly raised the weapon toward Deputies.

Mallett was lying on his back in a blue body bag. A toe tag was attached to his great left toe which read in part "Coroner case 16-1357... Mallett, Michael". His clothing consisted of black underwear and a portion of a white shirt located beneath his back. A silver colored ring from his left ring finger and a silver colored watch from his left wrist were collected. Signs of medical intervention included: gauze on his left and right arms, right ankle, and right chest; a tube in his mouth; and leads on his legs and shoulders. Fingernail clippings, head hair and pubic hair standards were collected from Mallett.

Several apparent gunshot wounds were observed on Mallett's right upper arm, right hand/wrist, right ankle, left forearm, left chest, right and left hips, left middle toe, left knee and right side of the back. Several small reddish/purple wounds were located on his chest, abdomen and left and right legs. See Coroner's report 16-1357 for further details regarding his injuries. Copper jacket fragments were collected from the left knee, left middle toe and the body bag.

The autopsy was documented with photographs and notes. A reference blood kit was collected by Dr. Josselson and was turned over to me upon completion of the autopsy. We left the location at approximately 1015 hours.

Forensic Services Division
Contra Costa County
Office of the Sheriff



16-175-8

B. Chabot

4/25/2016

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Evidence: (Outer package(s) are tape sealed unless otherwise stated)

Submission # Other ID

21	Manila envelope; copper jacket fragments from Mallet.
21-1	Soil envelope; copper jacket fragment from left knee.
21-2	Soil envelope; copper jacket fragment from body bag.
21-3	Soil envelope; copper jacket fragment from left middle toe.
21-4	Soil envelope; copper jacket fragment from body bag.
22	Manila envelope; hair standards from Mallet.
22-1	Soil envelope; head hair standard from Mallet.
22-2	Soil envelope; pubic hair standard from Mallet.
23	Fingernail Evidence Kit from Mallet.
24	Reference Blood Evidence Kit from Mallet.
25	Jewelry envelope; ring and watch from Mallet's left hand and wrist.
26	Paper bag; underwear and shirt from Mallet.

Disposition:

A DVD containing 140 digital images will be stored in the Laboratory photograph file. A copy of the images was given to Detective Busch.

Submission 021 was submitted to the Comparative Evidence Unit for further analysis. A separate report will be issued with their results.

Submissions 022-026 were returned to Property Services pending requests for further analysis.

Analyst:

Brianna Chabot

Brianna Chabot
Crime Scene Investigator

Date: March 31, 2016

Administrative Reviewer:

Donald Finley

Donald Finley
Forensic Supervisor

Date: April 25, 2016

16-175-10



Technical Services Division
Contra Costa County Office of the Sheriff
600 Court Street, 2nd Floor, Martinez, Ca. 94553
Telephone: (925) 957-7101 Fax: (925) 957-7119



REPORT OF LABORATORY EXAMINATION

Laboratory No:	16-175-10	Agency:	Contra Costa Sheriff
Report Date:	3/22/2016	Agency Case No.:	16-4105
Service:	Post-Mortem	Requested by:	Corinne Busch
Request Date:	3/21/2016	Case Type:	Death
Deceased:	Mallet, Michael Lee		
Related Agencies:	16-1357 Coroner's Office IA16-18 Contra Costa Sheriff		

Examination Results

A request was received to send staff to the Coroner's Office to collect Post-mortem prints. Results of this request are stated below.

One set of major case prints were obtained for Coroner's case # 16-1357, subject named Michael Mallet.

CC:

Examined By:

Janine Fong, Fingerprint Technician

Date: March 22, 2016

Approved By:

Debra Clark, Supervising Fingerprint Tech

16-175-12



Forensic Services Division
 Contra Costa County Office of the Sheriff
 2530 Arnold Drive, Suite 200, Martinez, CA 94553
 Telephone: (925) 335-1600 Fax: (925) 335-1601



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REPORT OF LABORATORY NOTIFICATION

Laboratory No.:	16-175-12	Agency:	Contra Costa Sheriff
Issue Date:	4/6/2016	Agency Case No.:	16-4105
Service:	Ballistic Imaging	Requested by:	Busch, Corinne
Request Date:	3/24/2016	Case Type:	Death
Suspect(s):	Mallett, Mike	Complainant(s):	None Listed
Related Agencies:			
	16-1357	Coroner's Office	
	IA16-18	Contra Costa Sheriff	

Purpose:

A safety inspection was completed on the submitted firearm. The submitted firearm was test fired using laboratory supplied ammunition. A test-fired cartridge case was entered into the laboratory's ballistic imaging systems:

- * Evofinder (Contra Costa County)
- * IBIS TraxHD3D (NIBIN Region 1b, which includes Northern California)

The cartridge case was compared to other entries from the indicated regions. No hits were found at this time.

Evidence: (Outer package(s) are tape sealed unless otherwise stated)Submission #Other ID

8

Cardboard box; Sig Sauer pistol, model P239, 9x19mm caliber, serial number SA4-603369 from cone 8

8-2

Manila envelope: Test-fired bullets and cartridges cases

Analyst:

Bryan LaCoste
 Sheriff's Aide

Date: April 05, 2016

Administrative Reviewer:

Donald Finley
 Forensic Supervisor

Date: April 06, 2016

DECLARATION

To Be Completed By Person Collecting Blood

KIT# 84721

CASE# ~~1430~~ 2016-018

TD 1430

ARM

V. PASSALACQUA

(Print Name)

, under penalty of perjury says:

I am employed by

CML

In the capacity checked below:

☐ physician

☐ clinical laboratory bioanalyst

☐ registered nurse

☒ phlebotomist

☐ licensed vocational nurse

☐ certified paramedic

☐ licensed clinical laboratory technologist

On this date I took blood from a person identified to me as

WELCH SHAWN

, the subject.

I cleaned the area to be punctured with the non-alcoholic disinfectant, included in the Contra Costa County Criminalistics Laboratory blood withdrawal kit.

Using the sterilized needle and holder from the kit, I inserted the needle into the subject's vein and withdrew enough blood to fill the two vacuum tubes.

I discarded the needle, holder, and disinfectant. I mixed the powder in the tubes thoroughly to prevent the blood from clotting.

The tubes of blood were labeled with the full name of the subject, the date and time of withdrawal, and I placed my initials on the label.

I gave the tubes to the officer who accompanied the subject, and I observed the officer seal the top of each tube with a label seal and place his initials on the seal and on the label of each tube.

The sample(s) was/were taken in a medically approved manner.

I declare under penalty of perjury that the foregoing is true and correct.

Dated:

3-18-16

at

SO

California.

Vilma Passalacqua

(Signature of Declarant)

(WHITE COPY)
(YELLOW COPY)
(PINK COPY)

DISTRICT ATTORNEY'S COPY - PLEASE SUBMIT TO DA'S OFFICE ALONG WITH FILING PAPERWORK
POLICE AGENCY'S COPY - PLEASE DETACH AND MAINTAIN FOR YOUR RECORDS
COPY FOR PERSON MAKING BLOOD WITHDRAWAL - PLEASE DETACH AND MAINTAIN FOR YOUR RECORDS

DECLARATION

To Be Completed By Person Collecting Blood

KIT# 85480

CASE# ~~14115~~

TD 1415

2016-018

V. PASSALACQUA

(Print Name)

, under penalty of perjury says:

ARM

I am employed by

CML

In the capacity checked below:

☐ physician

☐ clinical laboratory bloanalyst

☐ registered nurse

☒ phlebotomist

☐ licensed vocational nurse

☐ certified paramedic

☐ licensed clinical laboratory technologist

On this date I took blood from a person identified to me as

ROSSI ANTHONY

, the subject.

I cleaned the area to be punctured with the non-alcoholic disinfectant, included in the Contra Costa County Crimnalistics Laboratory blood withdrawal kit.

Using the sterilized needle and holder from the kit, I inserted the needle into the subject's vein and withdrew enough blood to fill the two vacuum tubes.

I discarded the needle, holder, and disinfectant. I mixed the powder in the tubes thoroughly to prevent the blood from clotting.

The tubes of blood were labeled with the full name of the subject, the date and time of withdrawal, and I placed my initials on the label.

I gave the tubes to the officer who accompanied the subject, and I observed the officer seal the top of each tube with a label seal and place his initials on the seal and on the label of each tube.

The sample(s) was/were taken in a medically approved manner.

I declare under penalty of perjury that the foregoing is true and correct.

Dated:

3-18-16

at

SO

California.

V. Passalacqua

(Signature of Declarant)

(WHITE COPY)
(YELLOW COPY)
(PINK COPY)

DISTRICT ATTORNEY'S COPY - PLEASE SUBMIT TO DA'S OFFICE ALONG WITH FILING PAPERWORK
POLICE AGENCY'S COPY - PLEASE DETACH AND MAINTAIN FOR YOUR RECORDS
COPY FOR PERSON MAKING BLOOD WITHDRAWAL - PLEASE DETACH AND MAINTAIN FOR YOUR RECORDS

DECLARATION

To Be Completed By Person Collecting Blood

KIT# 84717
CASE# 16-4105
TO 1420
@ARL

V. PASSALACQUA
(Print Name)

under penalty of perjury says:

I am employed by CML
in the capacity checked below:

- | | |
|--|---|
| <input type="checkbox"/> physician | <input type="checkbox"/> clinical laboratory bioanalyst |
| <input type="checkbox"/> registered nurse | <input checked="" type="checkbox"/> phlebotomist |
| <input type="checkbox"/> licensed vocational nurse | <input type="checkbox"/> certified paramedic |
| <input type="checkbox"/> licensed clinical laboratory technologist | |

On this date I took blood from a person identified to me as JOHNSON MARK, the subject.

I cleaned the area to be punctured with the non-alcoholic disinfectant, included in the Contra Costa County Criminalistics Laboratory blood withdrawal kit.

Using the sterilized needle and holder from the kit, I inserted the needle into the subject's vein and withdrew enough blood to fill the two vacuum tubes.

I discarded the needle, holder, and disinfectant. I mixed the powder in the tubes thoroughly to prevent the blood from clotting.

The tubes of blood were labeled with the full name of the subject, the date and time of withdrawal, and I placed my initials on the label.

I gave the tubes to the officer who accompanied the subject, and I observed the officer seal the top of each tube with a label seal and place his initials on the seal and on the label of each tube.

The sample(s) was/were taken in a medically approved manner.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 3-18-16 at SO California.

Vilma Passalacqua
(Signature of Declarant)

(WHITE COPY)	DISTRICT ATTORNEY'S COPY - PLEASE SUBMIT TO DA'S OFFICE ALONG WITH FILING PAPERWORK
(YELLOW COPY)	POLICE AGENCY'S COPY - PLEASE DETACH AND MAINTAIN FOR YOUR RECORDS
(PINK COPY)	COPY FOR PERSON MAKING BLOOD WITHDRAWAL - PLEASE DETACH AND MAINTAIN FOR YOUR RECORDS

16-175-2



Forensic Services Division
Contra Costa County Office of the Sheriff
1960 Muir Road, Martinez, Ca. 94553



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REPORT OF LABORATORY EXAMINATION

Laboratory No:	16-175-2	Agency:	Contra Costa Sheriff
Report Date:	3/21/2016	Agency Case No.:	16-4105
Service:	Alcohol Analysis	Requested by:	David Hall
Request Date:	3/18/2016	Case Type:	Death
Subject(s):	Welch, Shawn		
		Related Agencies:	16-1357 Coroner's Office IA16-18 Contra Costa Sheriff

Offenses:

Officer Inv.

3/18/2016

Examination Results and Conclusions:

Submission #1: Blood Alcohol/Drug envelope containing two vial(s).

Type of sample: **Blood**Reported Result: **Negative**Date of analysis: **3/21/2016**

I certify, under penalty of perjury, under the laws of the State of California, that the above blood/urine analysis was performed during the regular course of my duties, and is a true and correct copy thereof. I further certify that I am qualified to perform these analyses pursuant to Title 17 of the California Code of Regulations, and that the equipment used in arriving at the results was in proper working order at the time I performed this analysis. The recording of the analysis results was done at the time of the analysis.

Reported By:

Denise Gallagher, Criminalist
(Forensic Alcohol Supervisor)

Date: March 21, 2016

Executed in Martinez, Contra Costa County, California

Approved By:

John Udowski, Criminalist
(Forensic Alcohol Supervisor)

[illegible]

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001

Blood Alcohol/Drug envelope

Expiration Date: MAR 31, 2017

BLOOD SAMPLE FOR ALCOHOL/DRUG ANALYSIS

☐ Test for drugs if BAC $\leq 0.08\%$

☐ Check if this is a referee sample for the subject's breath results:

If CHP, indicate arrest location

☐ Unincorporated

CHAIN OF POSSESSION:

[illegible]

FOR LABORATORY USE

Id. 101.

Tubes

Beck

Report Annex

Client Address:**Contra Costa Sheriff**

1980 Muir Road
Martinez, CA
94553

Compliance Statements:

- Initial package(s) were submitted tape sealed unless otherwise indicated.
- Uncertainty of measurement is reported on each of the analytical results of the measurement. The statistical level of confidence is approximately 99.73% ($k=3$).
- Per Title 17, the California Code of Regulations governing forensic alcohol analysis, the reported result is an average of the analytical results of the measurement and is truncated to two digits.
- Per Title 17, urine results are reported as a blood alcohol equivalent using a conversion factor (divisor) of 1.3. The uncertainty of measurement is reported on each of the un-converted analytical results.
- Vitreous results are reported as a blood alcohol equivalent using a conversion factor (divisor) of 1.27. The uncertainty of measurement is reported on each of the un-converted analytical results.
- Cavity fluid results are not converted to a blood alcohol concentration and are reported as alcohol concentration only.
- Homogeneity is assumed among multiple vials within an envelope or kits as long as the vials were collected sequentially, from a single event, and into multiple similar containers, and having similar volumes. The reported results pertain to the entire item, not just the tested amount or the vial analyzed.
- Sampling was performed in accordance with the sampling procedure in the Blood Alcohol Technical Unit Manual. The date of sampling is the date of analysis unless otherwise indicated. The location of sampling is the Crime Lab.
- Any deviations from the sampling plan or technical procedures will be documented in the case notes. Any approximate blood volumes less than 5 milliliters in the vials provided by the Crime Lab will also be documented in the case notes.
- % W/V is an abbreviation for grams of ethanol per 100 milliliters of liquid.
- The linear range of the method is 0.01% W/V to 0.50% W/V.

Analytical Tests Used:

Heated Headspace Gas Chromatography

Receipt of Evidence:

Received from **David Hall** by **Shana Meldrum** on **3/18/2016**

1 Blood Alcohol/Drug envelope

Uncertainty of Measurement:

Submission #1: Blood Alcohol/Drug envelope

Analytical Result: **less than 0.01% W/V**. No assigned uncertainty.

Analytical Result: **less than 0.01% W/V**. No assigned uncertainty.

[End of Report]

16-175-3



Forensic Services Division
Contra Costa County Office of the Sheriff
1960 Mulr Road, Martinez, CA 94553



Confidential

REPORT OF LABORATORY EXAMINATION

Laboratory No:	16-175-3	Agency:	Contra Costa Sheriff
Report Date:	3/24/2016	Agency Case No.:	16-4105
Service:	Toxicology Analysis	Requested by:	David Hall
Request Date:	3/18/2016	Case Type:	Death
Subject(s):	Welch, Shawn		
		Related Agencies:	16-1357 Coroner's Office IA16-18 Contra Costa Sheriff

Description of Evidence (Initial package(s) were submitted tape sealed unless otherwise stated)

Submission #2: Urine Alcohol/Drug envelope containing 1 container(s).

Test Subject: **Welch, Shawn**

Type of sample: **Urine**

Container No.: **10928**

Analysis results:

Submission #2: Urine Alcohol/Drug envelope

Screening Results and Conclusions:

Methamphetamine/MDMA

Amphetamine/MDA

Cocaine/Cocaine Metabolite

Opiates (Codeine, Morphine)

Benzodiazepines

Cannabinoids

Result:

negative

negative

negative

negative

negative

negative

Confirmation Results and Conclusions:

No confirmation done.

Result

Cutoff:

MDA is Methylenedioxyamphetamine

MDMA is Methylenedioxymethamphetamine

Reported By:

Sarina Sigmon

Sarina Sigmon, Criminalist

Date: March 24, 2016

Approved By:

Danielle Marie Roberts

Danielle Marie Roberts, Forensic Manager

Report Annex

Client Address:**Contra Costa Sheriff**

1980 Muir Road
Martinez, CA
94553

Compliance Statements:

- Initial package(s) were submitted tape sealed unless otherwise indicated.
- Uncertainty information will only be given for quantitative results. The statistical level of confidence is approximately 95% ($k=2$).
- Homogeneity is assumed among multiple vials within an envelope or kits as long as the vials were collected sequentially, from a single event, and into multiple similar containers, and having similar volumes. The reported results pertain to the entire item, not just the tested amount or the vial analyzed.
- Sampling was performed in accordance with the sampling procedure in the Toxicology Technical Unit Manual. The date of sampling is the date of analysis unless otherwise indicated. The location of sampling is the Crime Lab.
- The following will be documented in the case notes: any deviations from the sampling plan or technical procedures; use of containers not provided by the Crime Lab; any approximate blood volumes less than 5 milliliters in the vials provided by the Crime Lab.
- $\mu\text{g/ml}$ is an abbreviation for micrograms per milliliter.
 ng/ml is an abbreviation for nanograms per milliliter.
- Immunoassay screening technique is considered a presumptive test due to the fact that immunoassays are not always specific to a single analyte.
- When the report indicates that further work or additional analysis may be performed, it is the responsibility of the customer to request the work if needed.
- The reported result reflects the concentration at the time of analysis and does not account for changes that may occur before or after analysis. Not all drugs are stable and concentrations may change over time, potentially resulting in values below the reporting limit. Any additional analysis or re-analysis should be requested as soon as possible.
- Samples to be re-analyzed should be stored in a manner that prevents breakdown and preserves the evidence as long as possible--refrigeration is highly suggested.
- If a drug is not reported as positive, it indicates either that it was not detected or, if a drug was detected, it was present at a concentration less than this Laboratory's established reporting limit. All confirmations, if required, are done by Gas Chromatography/Mass Spectrometry.
- The tests performed are generally accepted by consensus of the relevant scientific community. The tests were performed in a scientifically approved manner.

Analytical Tests Used:

- Most screenings are done by Immunoassay. Acid Neutral Drugs and Basic Drugs screenings are both done by gas chromatography/mass spectrometry.
- Confirmations are done by Gas Chromatography/Mass Spectrometry.

Receipt of Evidence

Submission #2: Urine Alcohol/Drug envelope

This evidence submission was received from David Hall by Shana Meldrum on 3/18/2016



16-175-3

Sarina Sigmon

March 24, 2016

Page 3 of 3

[End of Report]

16-175-4



Forensic Services Division
 Contra Costa County Office of the Sheriff
 1960 Muir Road, Martinez, Ca. 94553



Confidential

REPORT OF LABORATORY EXAMINATION

Laboratory No:	16-175-4	Agency:	Contra Costa Sheriff
Report Date:	3/21/2016	Agency Case No.:	16-4105
Service:	Alcohol Analysis	Requested by:	David Hall
Request Date:	3/18/2016	Case Type:	Death
Subject(s):	Johnson, Mark		
		Related Agencies:	16-1357 Coroner's Office IA16-18 Contra Costa Sheriff

Offenses:

Officer Inv. 3/18/2016

Examination Results and Conclusions:

Submission #3: Blood Alcohol/Drug envelope containing two vial(s).

Type of sample: **Blood**
 Reported Result: **Negative**
 Date of analysis: **3/21/2016**

I certify, under penalty of perjury, under the laws of the State of California, that the above blood/urine analysis was performed during the regular course of my duties, and is a true and correct copy thereof. I further certify that I am qualified to perform these analyses pursuant to Title 17 of the California Code of Regulations, and that the equipment used in arriving at the results was in proper working order at the time I performed this analysis. The recording of the analysis results was done at the time of the analysis.

Reported By:

Denise Gallagher

Denise Gallagher, Criminalist
 (Forensic Alcohol Supervisor)

Date: March 21, 2016

Executed in Martinez, Contra Costa County, California

Approved By:

John Udowski

John Udowski, Criminalist
 (Forensic Alcohol Supervisor)

Page 2 of 3

A high-contrast, black and white image showing a grid-like pattern, possibly a window blind or a textured surface. The image is dominated by horizontal lines and a dark, textured band at the bottom. The overall appearance is grainy and abstract, with a strong sense of depth and texture.

Report Annex

Client Address:**Contra Costa Sheriff**

1980 Muir Road
Martinez, CA
94553

Compliance Statements:

- Initial package(s) were submitted tape sealed unless otherwise indicated.
- Uncertainty of measurement is reported on each of the analytical results of the measurement. The statistical level of confidence is approximately 99.73% ($k=3$).
- Per Title 17, the California Code of Regulations governing forensic alcohol analysis, the reported result is an average of the analytical results of the measurement and is truncated to two digits.
- Per Title 17, urine results are reported as a blood alcohol equivalent using a conversion factor (divisor) of 1.3. The uncertainty of measurement is reported on each of the un-converted analytical results.
- Vitreous results are reported as a blood alcohol equivalent using a conversion factor (divisor) of 1.27. The uncertainty of measurement is reported on each of the un-converted analytical results.
- Cavity fluid results are not converted to a blood alcohol concentration and are reported as alcohol concentration only.
- Homogeneity is assumed among multiple vials within an envelope or kits as long as the vials were collected sequentially, from a single event, and into multiple similar containers, and having similar volumes. The reported results pertain to the entire item, not just the tested amount or the vial analyzed.
- Sampling was performed in accordance with the sampling procedure in the Blood Alcohol Technical Unit Manual. The date of sampling is the date of analysis unless otherwise indicated. The location of sampling is the Crime Lab.
- Any deviations from the sampling plan or technical procedures will be documented in the case notes. Any approximate blood volumes less than 5 milliliters in the vials provided by the Crime Lab will also be documented in the case notes.
- % W/V is an abbreviation for grams of ethanol per 100 milliliters of liquid.
- The linear range of the method is 0.01% W/V to 0.50% W/V.

Analytical Tests Used:

Heated Headspace Gas Chromatography

Receipt of Evidence:

Received from **David Hall** by **Shana Meldrum** on **3/18/2016**

3 Blood Alcohol/Drug envelope

Uncertainty of Measurement:

Submission #3: Blood Alcohol/Drug envelope

Analytical Result: **less than 0.01% W/V**. No assigned uncertainty.

Analytical Result: **less than 0.01% W/V**. No assigned uncertainty.

[End of Report]

16-175-5



Forensic Services Division
Contra Costa County Office of the Sheriff
1960 Muir Road, Martinez, CA 94553



Confidential

REPORT OF LABORATORY EXAMINATION

Laboratory No: 16-175-5
Report Date: 3/24/2016
Service: Toxicology Analysis
Request Date: 3/18/2016
Subject(s): Johnson, Mark

Agency: Contra Costa Sheriff
Agency Case No.: 16-4105
Requested by: David Hall
Case Type: Death

Related Agencies: 16-1357 Coroner's Office
IA16-18 Contra Costa Sheriff

Description of Evidence *(Initial package(s) were submitted tape sealed unless otherwise stated)*

Submission #4: Urine Alcohol/Drug envelope containing 1 container(s).

Test Subject: **Johnson, Mark**Type of sample: **Urine**

Container No.: 10931

Analysis results:**Submission #4: Urine Alcohol/Drug envelope****Screening Results and Conclusions:**

Methamphetamine/MDMA

Amphetamine/MDA

Cocaine/Cocaine Metabolite

Opiates (Codeine, Morphine)

Benzodiazepines

Cannabinoids

Result:**negative****negative****negative****negative****negative****negative****Confirmation Results and Conclusions:**

No confirmation done.

Result**Cutoff:**

MDA is Methylenedioxyamphetamine

MDMA is Methylenedioxymethamphetamine

Reported By:

Sarina Sigmon, Criminalist

Date: March 24, 2016

Approved By:

Danielle Marie Roberts, Forensic Manager

Report Annex

Client Address:**Contra Costa Sheriff**

1980 Muir Road
Martinez, CA
94553

Compliance Statements:

- Initial package(s) were submitted tape sealed unless otherwise indicated.
- Uncertainty information will only be given for quantitative results. The statistical level of confidence is approximately 95% (k=2).
- Homogeneity is assumed among multiple vials within an envelope or kits as long as the vials were collected sequentially, from a single event, and into multiple similar containers, and having similar volumes. The reported results pertain to the entire item, not just the tested amount or the vial analyzed.
- Sampling was performed in accordance with the sampling procedure in the Toxicology Technical Unit Manual. The date of sampling is the date of analysis unless otherwise indicated. The location of sampling is the Crime Lab.
- The following will be documented in the case notes: any deviations from the sampling plan or technical procedures; use of containers not provided by the Crime Lab; any approximate blood volumes less than 5 milliliters in the vials provided by the Crime Lab.
- µg/ml is an abbreviation for micrograms per milliliter.
ng/ml is an abbreviation for nanograms per milliliter.
- Immunoassay screening technique is considered a presumptive test due to the fact that immunoassays are not always specific to a single analyte.
- When the report indicates that further work or additional analysis may be performed, it is the responsibility of the customer to request the work if needed.
- The reported result reflects the concentration at the time of analysis and does not account for changes that may occur before or after analysis. Not all drugs are stable and concentrations may change over time, potentially resulting in values below the reporting limit. Any additional analysis or re-analysis should be requested as soon as possible.
- Samples to be re-analyzed should be stored in a manner that prevents breakdown and preserves the evidence as long as possible--refrigeration is highly suggested.
- If a drug is not reported as positive, it indicates either that it was not detected or, if a drug was detected, it was present at a concentration less than this Laboratory's established reporting limit. All confirmations, if required, are done by Gas Chromatography/Mass Spectrometry.
- The tests performed are generally accepted by consensus of the relevant scientific community. The tests were performed in a scientifically approved manner.

Analytical Tests Used:

- Most screenings are done by Immunoassay. Acid Neutral Drugs and Basic Drugs screenings are both done by gas chromatography/mass spectrometry.
- Confirmations are done by Gas Chromatography/Mass Spectrometry.

Receipt of Evidence

Submission #4: Urine Alcohol/Drug envelope

This evidence submission was received from David Hall by Shana Meldrum on 3/18/2016



[End of Report]

16-175-6



Forensic Services Division
Contra Costa County Office of the Sheriff
1960 Muir Road, Martinez, Ca. 94553



Confidential

REPORT OF LABORATORY EXAMINATION

Laboratory No:	16-175-6	Agency:	Contra Costa Sheriff
Report Date:	3/21/2016	Agency Case No.:	16-4105
Service:	Alcohol Analysis	Requested by:	David Hall
Request Date:	3/18/2016	Case Type:	Death
Subject(s):	Rossi, Anthony		
		Related Agencies:	16-1357 Coroner's Office IA16-18 Contra Costa Sheriff

Offenses:

Officer Inv. 3/18/2016

Examination Results and Conclusions:

Submission #5: Blood Alcohol/Drug envelope containing two vial(s).

Type of sample: **Blood**
Reported Result: **Negative**
Date of analysis: **3/21/2016**

I certify, under penalty of perjury, under the laws of the State of California, that the above blood/urine analysis was performed during the regular course of my duties, and is a true and correct copy thereof. I further certify that I am qualified to perform these analyses pursuant to Title 17 of the California Code of Regulations, and that the equipment used in arriving at the results was in proper working order at the time I performed this analysis. The recording of the analysis results was done at the time of the analysis.

Reported By:

Denise Gallagher, Criminalist
(Forensic Alcohol Supervisor)

Date: March 21, 2016

Executed in Martinez, Contra Costa County, California

Approved By:

John Udowski, Criminalist
(Forensic Alcohol Supervisor)

Page 2 of 3

Received From:	Received By:	Date:
William Vasquez	D. Hall	3/18/76
Small	Sh	3/15/76
Sh	Muir Co. Fridge	3/18/76

Report Annex

Client Address:**Contra Costa Sheriff**

1980 Muir Road
Martinez, CA
94553

Compliance Statements:

- Initial package(s) were submitted tape sealed unless otherwise indicated.
- Uncertainty of measurement is reported on each of the analytical results of the measurement. The statistical level of confidence is approximately 99.73% ($k=3$).
- Per Title 17, the California Code of Regulations governing forensic alcohol analysis, the reported result is an average of the analytical results of the measurement and is truncated to two digits.
- Per Title 17, urine results are reported as a blood alcohol equivalent using a conversion factor (divisor) of 1.3. The uncertainty of measurement is reported on each of the un-converted analytical results.
- Vitreous results are reported as a blood alcohol equivalent using a conversion factor (divisor) of 1.27. The uncertainty of measurement is reported on each of the un-converted analytical results.
- Cavity fluid results are not converted to a blood alcohol concentration and are reported as alcohol concentration only.
- Homogeneity is assumed among multiple vials within an envelope or kits as long as the vials were collected sequentially, from a single event, and into multiple similar containers, and having similar volumes. The reported results pertain to the entire item, not just the tested amount or the vial analyzed.
- Sampling was performed in accordance with the sampling procedure in the Blood Alcohol Technical Unit Manual. The date of sampling is the date of analysis unless otherwise indicated. The location of sampling is the Crime Lab.
- Any deviations from the sampling plan or technical procedures will be documented in the case notes. Any approximate blood volumes less than 5 milliliters in the vials provided by the Crime Lab will also be documented in the case notes.
- % W/V is an abbreviation for grams of ethanol per 100 milliliters of liquid.
- The linear range of the method is 0.01% W/V to 0.50% W/V.

Analytical Tests Used:

Heated Headspace Gas Chromatography

Receipt of Evidence:

Received from **David Hall** by **Shana Meldrum** on **3/18/2016**

5 Blood Alcohol/Drug envelope

Uncertainty of Measurement:

Submission #5: Blood Alcohol/Drug envelope

Analytical Result: **less than 0.01% W/V**. No assigned uncertainty.

Analytical Result: **less than 0.01% W/V**. No assigned uncertainty.

[End of Report]



**Forensic Services Division
Contra Costa County Office of the Sheriff
1960 Mulr Road, Martinez, CA 94553**



Confidential

REPORT OF LABORATORY EXAMINATION

Laboratory No:	16-175-7	Agency:	Contra Costa Sheriff
Report Date:	3/24/2016	Agency Case No.:	16-4105
Service:	Toxicology Analysis	Requested by:	David Hall
Request Date:	3/18/2016	Case Type:	Death
Subject(s):	Rossi, Anthony	Related Agencies:	16-1357 Coroner's Office IA16-18 Contra Costa Sheriff

Description of Evidence *(Initial package(s) were submitted tape sealed unless otherwise stated)*

Submission #6: Urine Alcohol/Drug envelope containing 1 container(s).

Test Subject: **Rossi, Anthony**Type of sample: **Urine**Container No.: **10924****Analysis results:****Submission #6: Urine Alcohol/Drug envelope****Screening Results and Conclusions:**

Methamphetamine/MDMA
Amphetamine/MDA
Cocaine/Cocaine Metabolite
Opiates (Codeine, Morphine)
Benzodiazepines
Cannabinoids

Result:

negative
negative
negative
negative
negative
negative

Confirmation Results and Conclusions:

No confirmation done.

Result**Cutoff:**

MDA is Methylenedioxyamphetamine

MDMA is Methylenedioxy methamphetamine

Reported By:

Sarina Sigmon, Criminalist

Date: March 24, 2016

Approved By:

Danielle Marie Roberts, Forensic Manager

Report Annex

Client Address:**Contra Costa Sheriff**

1980 Muir Road
Martinez, CA
94553

Compliance Statements:

- Initial package(s) were submitted tape sealed unless otherwise indicated.
- Uncertainty information will only be given for quantitative results. The statistical level of confidence is approximately 95% ($k=2$).
- Homogeneity is assumed among multiple vials within an envelope or kits as long as the vials were collected sequentially, from a single event, and into multiple similar containers, and having similar volumes. The reported results pertain to the entire item, not just the tested amount or the vial analyzed.
- Sampling was performed in accordance with the sampling procedure in the Toxicology Technical Unit Manual. The date of sampling is the date of analysis unless otherwise indicated. The location of sampling is the Crime Lab.
- The following will be documented in the case notes: any deviations from the sampling plan or technical procedures; use of containers not provided by the Crime Lab; any approximate blood volumes less than 5 milliliters in the vials provided by the Crime Lab.
- $\mu\text{g/ml}$ is an abbreviation for micrograms per milliliter.
- ng/ml is an abbreviation for nanograms per milliliter.
- Immunoassay screening technique is considered a presumptive test due to the fact that immunoassays are not always specific to a single analyte.
- When the report indicates that further work or additional analysis may be performed, it is the responsibility of the customer to request the work if needed.
- The reported result reflects the concentration at the time of analysis and does not account for changes that may occur before or after analysis. Not all drugs are stable and concentrations may change over time, potentially resulting in values below the reporting limit. Any additional analysis or re-analysis should be requested as soon as possible.
- Samples to be re-analyzed should be stored in a manner that prevents breakdown and preserves the evidence as long as possible--refrigeration is highly suggested.
- If a drug is not reported as positive, it indicates either that it was not detected or, if a drug was detected, it was present at a concentration less than this Laboratory's established reporting limit. All confirmations, if required, are done by Gas Chromatography/Mass Spectrometry.
- The tests performed are generally accepted by consensus of the relevant scientific community. The tests were performed in a scientifically approved manner.

Analytical Tests Used:

- Most screenings are done by Immunoassay. Acid Neutral Drugs and Basic Drugs screenings are both done by gas chromatography/mass spectrometry.
- Confirmations are done by Gas Chromatography/Mass Spectrometry.

Receipt of Evidence

Submission #6: Urine Alcohol/Drug envelope

This evidence submission was received from David Hall by Shana Meldrum on 3/18/2016



[End of Report]



DR No: 1 94105

Sup No: ORIG

Page 1 of 28

OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

DR No. 160004105	Sup. No ORIG	Assignment HOM	Reported Date Thu 03/17/2016	Reported Time 2206	Status REPORT TO FOLLOW	Confidential? Yes	Entered By 63641
From Date Thu 03/17/2016	From Time 2206	To Date	To Time	Report Incident Type 245(D)1	Use Of Force FIREARM		
Location 2700 HOFFMAN LN					City BYR	Zip	
Offense No.	Offense	Offense Description					
Evidence Yes	Fingerprint No	Body Camera No	Marsy's Law No	Elder Abuse From SOC 341 No	Victim Response - 293 PC No	Missing/Stolen Value	Damaged Value

SYNOPSIS

This report documents the investigation of the CCCSO Officer Involved Incident that resulted in S-Mallet's death.

SUBJECTS

Suspect	Invl. No 1	Type Individual	Name MALLET, MICHAEL LEE							
	Race WHITE	Gender MALE	DOB [REDACTED]	AGE 49	To Age	Height 508	To Height	Weight 165	To Weight	Juvenile? No
	Hair Color Black	Eye Color Brown	Skin	General Appearance	Build	Clothing Discription				
	Hair Description		Facial Features		Speech	Demeanor		Deformity		
	Further Description									
	Address Type	Location				City	State	Zip		
	ID Type Operator License	ID No. [REDACTED]	Operator License State California (Not for boat RES)							
	Offense Link	Offense		Phone Type	Phone Number					
	Email Type	Email								
	Mark Type	Mark Code		Mark Description						
	Employer / School				Position / Grade			Empl. From Date	Empl. To Date	
	Empl. Location				Empl. City			Empl. State	Empl. Zip	
	Empl. Contact					Empl. Phone Type		Empl. Phone		

Distribution**Additional Routing**

Reporting Deputy (Print) BUSCH, CORINNE	Date / Time Written 5/5/2016 14:54:46	Disposition Closed other
Approving Supervisor(Print) ALLDRITT, BEN	Supervisor No. 71008	Date 5/9/2016



DR No: 104105

Sup No: ORIG

Page 2 of 28

OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Victim	Invl. No 1	Type Individual	Name ROSSI, ANTHONY									
	Race WHITE		Gender MALE	DOB	AGE	To Age	Height	To Height	Weight	To Weight	Juvenile? No	
	Hair Color		Eye Color	Skin	General Appearance		Build		Clothing Description			
	Hair Description		Facial Features			Speech		Demeanor		Deformity		
	Further Description DEPUTY											
	Address Type Work/Busine		Location 1980 MUIR RD					City MARTINEZ		State CA	Zip 94553	
	ID Type		ID No.			Operator License State						
	Offense Link		Offense			Phone Type Business		Phone Number (925) 646-2441				
	Email Type		Email									
	Mark Type		Mark Code			Mark Description						
	Employer / School Contra Costa Sheriff's Office					Position / Grade			Empl. From Date		Empl. To Date	
	Empl. Location					Empl. City			Empl. State		Empl. Zip	
	Empl. Contact					Empl. Phone Type			Empl. Phone			
	Victim	Invl. No 1	Type Individual	Name WELCH, SHAWN								
Race WHITE		Gender MALE	DOB	AGE	To Age	Height	To Height	Weight	To Weight	Juvenile? No		
Hair Color		Eye Color	Skin	General Appearance		Build		Clothing Description				
Hair Description		Facial Features			Speech		Demeanor		Deformity			
Further Description												
Address Type Work/Busine		Location 1980 MUIR RD					City MARTINEZ		State CA	Zip 94553		
ID Type		ID No.			Operator License State							
Offense Link		Offense			Phone Type Cell		Phone Number (924) 646-2441					
Email Type		Email										
Mark Type		Mark Code			Mark Description							
Employer / School Office of the Sheriff					Position / Grade Sergeant			Empl. From Date		Empl. To Date		
Empl. Location 1980 Muir Rd					Empl. City Martinez			Empl. State Ca		Empl. Zip 94553		
Empl. Contact					Empl. Phone Type Business			Empl. Phone 9256462441				
Distribution												
Additional Routing												
Reporting Deputy (Print) BUSCH, CORINNE					Date / Time Written 5/5/2016 14:54:46			Disposition Closed other				
Approving Supervisor (Print) ALLDRITT, BEN					Supervisor No. 71008			Date 5/9/2016				



DR No: 104105

Sup No: ORIG

Page 3 of 28

OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Witness	Invl. No 1	Type Individual	Name [REDACTED]									
	Race WHITE		Gender FEMALE		DOB [REDACTED]	AGE 49	To Age	Height 508	To Height 175	Weight	To Weight	Juvenile? No
	Hair Color Brown		Eye Color Brown		Skin White		General Appearance		Build		Clothing Discription	
	Hair Description		Facial Features			Speech		Demeanor			Deformity	
	Further Description											
	Address Type Home		Location [REDACTED]						City BYRON		State CA	Zip 94514
	ID Type Operator License		ID No. [REDACTED]			Operator License State California (Not for boat RES)						
	Offense Link		Offense			Phone Type Cell		Phone Number [REDACTED]				
	Email Type		Email									
	Mark Type		Mark Code			Mark Description						
	Employer / School					Position / Grade			Empl. From Date		Empl. To Date	
	Empl. Location					Empl. City			Empl. State		Empl. Zip	
	Empl. Contact					Empl. Phone Type			Empl. Phone			

VEHICLES**VESSELS****PROPERTY****MODUS OPERANDI****NARRATIVE****NOTIFICATION:**

I am currently assigned as a Homicide Detective in the CCCSO Investigations unit. I was assigned as the primary investigator for this incident.

On 3/18/2016, at approximately 0949 hrs., Investigation Sergeant Brown informed me there was an officer involved incident in Byron, involving CCCSO SWAT and protocol was invoked. I was advised the suspect was being life flighted. I was instructed to respond for an investigation and to go to Excelsior Middle School for the briefing.

I arrived on scene at approximately 1015 hrs. and was advised by my partner, Detective Holland, we were responding directly to 2700 Hoffman Ln. in Byron for the scene walk through and briefing.

Distribution

Additional Routing

Reporting Deputy (Print)

BUSCH,CORINNE

Date / Time Written

5/5/2016 14:54:46

Disposition

Closed other

Approving Supervisor(Print)

ALLDRITT,BEN

Supervisor No.

71008

Date

5/9/2016

**OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY**
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

BRIEFING:

Both DA Inspectors and CCCSO Investigators were present, as is procedure for an Officer Involved investigation. CCCSO Lieutenant Beltran, the CCCSO SWAT Commander, advised the following in summary:

The suspect's name was S-Michael Mallett. He died on scene in the AMR unit, prior to being life flighted.

On 3/17/2016, at approximately 2200 hrs., CCCSO Delta Station Deputies were advised Mallett had an arrest warrant for multiple PC 288 charges with night service. Mallett was initially arrested on these charges in February of 2016.

Delta station units came out in an attempt to arrest Mallett pursuant to the arrest warrant. Once on scene they noticed Mallett's house lights being turned off. At one point in attempting to contact Mallett, Deputies saw Mallett in the doorway holding a handgun to his side, then go back into the house, and shut the door behind him. Deputies established a perimeter and called Mallett's wife over the phone. They asked her to have the occupants come outside peacefully.

Two female adults and two juveniles came out of the house. An elderly couple came out from the granny unit, located on the side of the residence.

The occupants who came outside confirmed Mallett was the only one still inside the residence and that he was in possession of a handgun. As the CCCSO SWAT Commander, Lieutenant Beltran was notified of the situation. Lieutenant Beltran requested the CCCSO Hostage Negotiation Team (HNT) respond to assist.

While HNT was en route, Mallett text his wife he was sorry it came to this and appreciated the last six weeks.

Lieutenant Beltran and HNT responded to the scene. HNT tried several attempts to get a hold of Mallett via the phone, but were unsuccessful. Lieutenant Beltran activated SWAT and they responded at approximately 0130/0200

Distribution

Additional Routing

Reporting Deputy (Print)

BUSCH,CORINNE

Date / Time Written

5/5/2016 14:54:46

Disposition

Closed other

Approving Supervisor(Print)

ALLDRITT,BEN

Supervisor No.

71008

Date

5/9/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

hrs.

While units were on scene, Mallett was seen covering the rear and side windows. Mallett was also again seen with a handgun. Once SWAT was on scene the initial responding Deputies were replaced from their perimeter positions by SWAT team members.

SWAT snipers were deployed and covered several parts of the residence; the west side of the residence, and the north/east "2-3 corner" of the residence.

Mallett was contained between the master bedroom and master bathroom within the residence (this is located on the north/west side of the residence). They also had a react team staged on the north/east corner.

HNT initially could not make contact with Mallett. Mallett eventually began to answer his cell phone. Via HNT, the SWAT members were aware Mallett was requesting to talk to his brother [REDACTED]. Mallett admitted to having a gun, knowing what their tactics were, and that Mallett was refusing to put the gun down or show his hands.

SWAT used the PA system as well as the Long Range Acoustical Device (LRAD), which is a device that produces a loud and annoying sound, in an attempt to stimulate Mallett to talk to HNT when he refused to answer his cell phone. When Mallett completely stopped responding, SWAT used annoyance tactics to include flash bangs and chemical agents.

After these were deployed Mallett jumped out of a 1st story window. Mallett was seen with a handgun in his hand and refused to obey orders. Mallett was seen raising the gun at SWAT members. SWAT member Deputy Rossi, who was standing at the marked CCCSO patrol SUV, located near the north/west corner, shot Mallett three times. SWAT member Sergeant Welch, who was standing at the north/east corner of the residence, shot 5-8 rounds at Mallett. Deputy Rossi's position was behind Mallett and Sergeant Welch's position was in front of Mallett at the time of the shooting.

Another SWAT member, Sergeant Johnson, also shot at Mallett when he saw Mallett raising his firearm. Lieutenant Beltran had not been informed how many shots Sergeant Johnson fired.

First aide was provided to Mallett, AMR responded, and a Helo was requested. Mallett did not survive his injuries and died on scene. Mallett's body was currently in the back of the AMR unit, which was parked in the driveway to the

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Supervisor No.

71008

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5/9/2016



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DV: No

ARREST: No

residence.

Three members of the Pittsburg PD SWAT team were also on scene. They were requested to bring their armor rescue vehicle as the CCCSO armored rescue vehicle got stuck in the mud at the location. Animal Control was also on scene staged, as Mallett had three large Mastiff dogs inside his residence while this incident was going on.

All SWAT members who were involved in the shooting were brought back to the Field of Operations Building (FOB). Their equipment was left in the CCCSO armored rescue vehicle on scene, that SWAT member Deputy Gunther was watching. All SWAT equipment was left in place for Detectives and CCCSO CSI to view and process.

All the windows, beside the large master bathroom window were opened by SWAT members after the incident, to allow the house to ventilate since chemical agents had been deployed inside. The large master bedroom window was the window Mallett opened and exited from.

CCCSO Detective Valkanoff then provided details on the CCCSO case Mallett's arrest warrant was issued for. Detective Valkanoff advised the following:

Mallett was arrested for molesting his foster daughter, who disclosed the molestation to a coach and a friend. Mallett was released when the District Attorney advised more evidence was needed. Detective Valkanoff served a search warrant at Mallett's residence where possible semen stains were located in the areas the victim advised she was molested in. The CCCSO lab tested these samples and it came back as being semen and having Mallett's DNA. The District Attorney determined this was enough evidence to follow through with prosecution. An arrest warrant was then issued. On 3/17/2016 Detective Valkanoff called Delta Station Deputies and advised them of the arrest warrant.

SCENE:

2700 Hoffman Ln is a two story residence with an attached garage. This residence is in a rural area. There is an in-law unit and a small cottage that sit to the south/east side of the residence. The grass around 2700 Hoffman Ln is overgrown and is approximately 4-5' long. The grass surrounds the residence, driveway, walkways, and patio. The residence is approximately 120 yards south off of Hoffman Ln and approximately 550 yards west from Byron Highway.

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The front door of the residence faces Hoffman Ln and is located on the south/east side of the house. The rear door, which is a glass door with a wood frame, is located on the north/east side of the house. This door leads from the open outside patio area into the kitchen of the residence. The patio is paved and is partially covered by a wooden roof cover, which is supported by wooden pillars. This structure is several feet away from the rear door. Several feet away from the patio is a dilapidated raised pool. The wall the rear door is on is the same wall as the master bathroom and master bedroom. The master bathroom is just west of the rear patio door. The master bedroom has glass French doors which access the outside as well. These doors are located on the north/west side of the residence.

There are no immediate neighbors, but houses can be seen in the distance.

I saw the rear door leading into the kitchen from the outside patio was shattered. There was a shirt, pants, men's shoes, bandages, and blood outside in the area between this rear door and the master bedroom window. Also in this area was a black handgun.

There was various SWAT equipment, to include less, than lethal sponge rounds, shields, the LRAD (noise device), unspent chemical agents, a pry bar, and a key (used to force open doors) near the patio area. Also in the patio area I saw several spent casings that due to their type, appeared to be from the CCCSO SWAT members. Near this patio to the north was the CCCSO armored rescue vehicle that had been stuck in the mud.

On the opposite side of the house, in the driveway, between the front door and the garage door, was the Pittsburg PD assault response vehicle. The garage door was open.

In the rear of the house I saw the French glass doors leading into the master bedroom were broken.

I also saw the locations where the SWAT Snipers were located, as their guns were still in place. I saw there were snipers on the top of a mobile home parked in the driveway and on the west side of the raised pool on the opposite side of the house.

INITIAL SEARCH WARRANT:

After the Initial briefing and view of the scene, Homicide Detective Root responded to the FOB and wrote a search

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warrant for Mallett's house. Refer to Detective Root's supplement.

CCCSO Detective Bai, CCCSO CSI's Nyguen and Jefferies arrived on scene. I conducted a walk through with them and debriefed them on what I learned of the incident, the reported actions of the SWAT members and of the suspect. I also pointed out the pieces of evidence I found on the patio and had marked with evidence cones as well as the spent chemical agents containers that were dumped in a white bin in the garage by SWAT members after their deployment. Detective Bai stayed on scene while the search warrant was being obtained.

When the search warrant was signed Mallett's house was searched and processed for evidence. All electronic devices were collected pursuant to the search warrant. Refer to the CCCSO CSI's supplements.

ASSIGNMENTS:

After the initial debrief all investigating CCCSO Detectives, DA Inspectors, and CCCSO staff that were present during the incident, responded to CCCSO Field of Operations building (FOB).

DA Grove and CCCSO Sergeant Brown gave the following assignments:

DA Inspector Morris/ Detective Busch – Interview SWAT members that discharged their SWAT firearms.

DA Inspector Menchaca/ Detective Holland- Interview Mallett's family

DA Inspector Laughlin/ Detective Frazier – Interview FIRE/AMR/Animal Control

DA Inspector Trujillo/ Detective Young – Interview HNT

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DA Inspector Alexander/ Detective Norvell – Interview HNT

DA Inspector Ross/ Sergeant Andaya – Interview SWAT members who did not discharge their SWAT firearms

DA Inspector Pamplona/ Detective Sosa – Interview SWAT members who did not discharge their SWAT firearms

DA Inspector Wediemyer/ Detective Steele – Interview SWAT members who did not discharge their SWAT firearms.

DA Inspector Vanpool/ Detective Valkanoff – Interview Pittsburg PD SWAT officers.

INTERVIEWS:

Prior to the interviews, Sergeant Welch, Sergeant Johnson, and Deputy A. Rossi provided blood samples to CCCSO IA Sergeant Hall, as is per CCCSO policy for officer involved shootings. Pictures were also taken of them and their uniforms by CSI.

All interviews were audio recorded. Refer to audio for exact dictation, sequence, and context. DA Inspector James and I conducted all of the interviews together and each recorded the interviews separately. (I logged a copy of my audio recording into CCCSO evidence.)

Deputy A. Rossi, employee # 70612; currently assigned as a CCCSO Narcotic Detective.

Present with Deputy Rossi during the interview was his attorney, Julia Fox, who is with Rains Lucia Sterns. This is standard for all officer involved investigations.

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Deputy Rossi told us the following in summary:

Deputy Rossi attended the police academy in 2006. He has been employed with the Contra Costa County Sheriff's Office for approximately 10 years and has been on SWAT for approximately 4 yrs. Deputy Rossi attended a two week POST SWAT course. Deputy Rossi's current position on SWAT is "entry." Deputy Rossi is also a firearms instructor for CCCSO and has been for approximately one year. Deputy Rossi went to a week long firearms instruction school to do this.

Deputy Rossi did not have any intoxicants with in the last 48 hrs. Deputy Rossi worked a double shift prior to this incident. On 3/16/2016, Deputy Rossi worked in his Narcotic assignment from 0300 hrs-1430 hrs. He then worked 1430 hrs. – 2030 hrs. at the CCCSO range, providing firearms instruction to the Academy. Deputy Rossi believes he went to bed around 2300 hrs. Deputy Rossi received the SWAT call around 0300 hrs., giving him 4 hrs. of sleep prior to this incident.

At 0300 hrs. Deputy Rossi was advised there was a SWAT call out for a barricaded subject in Byron and to respond to FOB. Deputy Rossi believes he arrived at FOB at approximately 0320 hrs. Deputy Rossi obtained his equipment and helped load some of the SWAT equipment into vehicles.

Deputy Rossi was equipped with his SWAT ballistic helmet and vest, his SWAT M4 rifle, his department issued Sig Sauer hand gun, and his duty belt.

Deputy Rossi and other SWAT members then drove out to the location where they were briefed by Lieutenant Beltran. Deputy Rossi believes Sergeant Gackowski, Deputy Fitzgerald, Deputy Ryan, Deputy Plilier, Deputy Eric Rossi, and Deputy Durrer were the initial SWAT members on scene, prior to his arrival. HNT was also on scene prior to his arrival.

The initial briefing was in regards to the SWAT armored vehicle getting stuck in the mud at the location. They were advised a CCCSO Marine patrol "dully" truck was obtained to attempt to remove the disabled armored vehicle. They were also advised patrol units went to the house to serve an arrest warrant and Mallett was seen with a handgun. The patrol Deputies retreated and established a perimeter around the house, where they were then able to get all of the people out of the residence, except for Mallett.

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Deputy Rossi and other SWAT members were then used as security for the marine patrol truck, as personnel attempted to pull out the CCCSO armored vehicle.

After this briefing SWAT tried to remove the vehicle but were unable to. Deputy Rossi's next assignment was to replace the deputies at the CCCSO patrol SUV, parked on the north/west side of the house. This vehicle was illuminating the master bedroom, which was the last location Mallett was seen. Deputy Rossi, Sergeant Ingrassia, and Deputy Hadley responded to this vehicle. Deputy Rossi positioned himself at the passenger side with the car door open to act as concealment. Deputy Rossi and his team were advised to move the vehicle from a straight on position to a more angled position to allow the snipers a better view. After repositioning the CCCSO SUV, Deputy Rossi and his team did not move the vehicle, nor their positions again.

Deputy Rossi believed he was at this location from 0400 hrs. until the end of the incident. Once the patrol Deputies were all relieved, SWAT switched from the main dispatch channel to the SWAT tactical channel.

Everything that was occurring with HNT in regards to them contacting and attempting to contact Mallett was being advised via the radio to all SWAT members on scene. Deputy Rossi was aware that at times HNT was able to make actual contact with Mallett and other times Mallett refused to answer the phone for HNT.

Deputy Rossi advised an LRAD was used by HNT. Deputy Rossi explained the LRAD was a portable speaker that amplifies and penetrates through walls so they could be heard from a distance or within a structure. Deputy Rossi explained this was used as a tactic to get Mallett to respond during the times he was not answering HNT.

Deputy Rossi remembered Mallett was provided some of the following instructions; to come out with his hands up and to exit without the weapon via the double French door. Deputy Rossi believes there were at least a dozen "if not more" of these notifications provided to Mallett. Deputy Rossi stated he was more focused on security than counting how many announcements were provided and could only provide a "ballpark" number.

At one point, Deputy Rossi saw Mallett through the bedroom window and saw he had three large Mastiff dogs in the bedroom with him. Deputy Rossi advised later in the morning, when the sun was above the house from his position, he saw Mallett come from the area of the master bathroom and come to a window that was directly in front of Deputy Rossi's position. Mallett then looked out the window to Deputy Rossi's and his partners' location. Due to the angle of the sun they were not able to see if Mallett had a gun at that time. Deputy Rossi monitored Mallett's movements, who looked like he went down on his knees, then retreated back into the middle of the room. It eventually appeared as though Mallett was moving toward the French doors, but instead retreated back to the area of the master bathroom. Deputy Rossi was approximately 15 yards away from the house when he was viewing this.

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Deputy Rossi never heard Mallett say anything during this.

I asked Deputy Rossi how he was familiar with the lay out of the house. Deputy Rossi advised he helped serve a search warrant at the house before, so he had actually been inside the downstairs area of the house.

I asked Deputy Rossi if there were other SWAT members on the side of the house his team was at. Deputy Rossi advised a REACT team was in the area of the bay window of the kitchen and the kitchen door (rear door.) Deputy Rossi advised this team varied from 3-7 people at a time, as people would get reassigned.

Deputy Rossi advised the shooting incident occurred after a deployment of four ferret rounds by two teams that were on opposite sides of the house from Deputy Rossi and the REACT team. Deputy Rossi explained ferret rounds are a round that contains gas that acts as an irritant. It was relayed to everyone on scene all four of these rounds were successfully delivered.

Deputy Rossi remained focused on the window he last saw Mallett at. Without warning the large bathroom window slid all the way open. Deputy Rossi saw Mallett with a black handgun at this window. Deputy Rossi saw Mallett jump up onto the window sill, where he saw Mallett had the gun in his hand. Deputy Rossi then saw Mallett jump outside and start to walk along the wall of the kitchen toward the edge of that wall, and then begin to turn toward the location of the REACT team.

Deputy Rossi described the layout of the side of the house he and the REACT team were monitoring as the following:

Along the wall was a bay window, then a glass kitchen door that led to the outside. That wall then stopped and went in approximately eight feet, then continued right, where a large frosted window for the bathroom was, followed by another small frosted window for the bathroom, and then two identical sized windows for the master bedroom. Deputy Rossi believes it was only 8-10 ft from the window Mallett jumped out of to the location of the bay window.

Deputy Rossi continued to describe Mallett's actions after Mallett jumped out of the window. Deputy Rossi saw Mallett was holding the gun to his side. Deputy Rossi yelled, "Gun." Mallett began turning the corner where the REACT team was, as he started to "lift up his hand with the gun in it." Deputy Rossi believes Mallett was holding the gun in his left hand.

Deputy Rossi believes Mallett was only 6-10 ft away from the REACT team at this time. Deputy Rossi believed the

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REACT team's lives were in danger. Deputy Rossi explained Mallett's position was not one the REACT team could immediately see, and despite Deputy Rossi yelling what he saw, Mallett was moving and had a gun. Deputy Rossi advised Mallett was only three or four steps to get to a position of turning the corner, and that when he turned the corner, Mallett would have had the element of surprise against the REACT team. Deputy Rossi also explained Mallett was raising his gun toward the REACT team. Deputy Rossi believed if he did not shoot, Mallett could hurt multiple members of the REACT team. Deputy Rossi fired his SWAT issued M4 rifle at Mallett. Deputy Rossi fired a total of three rounds. (Deputy Rossi believes his magazine was loaded with 28 rounds prior to this incident) At that time Deputy Rossi did not know if anyone else had shot.

I asked Deputy Rossi how many feet it was from the window Mallett jumped out of to the Bay window. Deputy Rossi told me 8-10 feet. I asked Deputy Rossi how long it took Mallett to jump out of the window. Deputy Rossi stated, "It happened really fast. Maybe 1 to 2 seconds. It was pretty shocking because my focus was on the window... two windows over." I asked Deputy Rossi how long it took Mallett from the point of getting out of the window to get to the point where he viewed his partners as being in danger. Deputy Rossi advised two to three seconds at the most. I asked Deputy Rossi if Mallett was moving fast. Deputy Rossi explained it was more that the distance to travel was short.

Deputy Rossi described Mallett as a WMA, mid to late 40's, having short brownish hair, and wearing multiple layers of clothing with a white t-shirt underneath, dark colored jeans, and unknown type of shoes.

Deputy Rossi explained that after he fired three rounds at Mallett, Mallett fell to the ground. Deputy Rossi, Sergeant Ingrassia, and Deputy Hadley then moved forward to Mallett. The REACT team did as well. Deputy Rossi provided cover along with Sergeant Welch. Deputy Rossi saw that Mallett was still moving around. Deputy Rossi heard someone say they moved the gun away from Mallett. Deputy Rossi handcuffed Mallett, while Sergeant Welch provided cover for Deputy Rossi.

Sergeant Beard came from his position and assessed Mallett's injuries. The handcuffs were then removed from Mallett. Dep. Rossi and Sergeant Beard began to provide first aide to Mallett.

DA Inspector James asked Deputy Rossi if at any point he felt fear for his own safety. Deputy Rossi explained that initially when Mallett was jumping out of the window he did, as the handgun was facing them when Mallett rested it on the window sill to jump out.

I asked Deputy Rossi if, as a firearms instructor, he deals with reaction times, specifically how fast it can take a suspect to raise their firearm at you. I asked Deputy Rossi if he discusses this in his training. Deputy Rossi advised

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during the last cycle of advanced officer training scenarios, one was of a suspect with a gun at their side. Deputy Rossi advised the training deals with the deputies having to react to that. Deputy Rossi explained the purpose is to show the deputy the comparison of the suspect having the gun at their side and raising it, versus the deputies' response which entails seeing the weapon, perceiving the weapon, and then actually reacting to the weapon. Deputy Rossi explained the scenario shows the deputy that it takes a second to a second in a half to go through that process before the officer returns fire.

I asked Deputy Rossi if there was anything else he believed may be important that we had not asked. Deputy Rossi told me no.

Mrs. Fox asked Deputy Rossi if he recalled hearing any other deputies shooting. Deputy Rossi advised he could hear his rounds and other rounds, but he did not know who or where they came from. Mrs. Fox asked Deputy Rossi if he heard these others shots, before, during or after he fired. Deputy Rossi advised it was all during the same time he was shooting and that he does not recall hearing any shots before or after he finished shooting.

Sergeant Johnson, employee #60608; current assignment Marsh Creek Custody.

Refer to DA Inspector Morris's report for details on this interview.

Sergeant Welch, employee #68239; current assignment OES/DSA President

Attorneys Julia Fox and Jonathan Murphy with Rains Lucia Stern were also present.

Sergeant Welch told us the following in summary:

Sergeant Welch was with the U.S Marine Corp. for approximately 11 years. Sergeant Welch attended the Contra Costa County Sheriff's Office Police Academy and has been employed with the Contra Costa County Sheriff's Office since 2003. Sergeant Welch has been on SWAT since 2011, where he is an assistant team leader. Sergeant Welch has

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been a Sergeant for approximately two years.

Sergeant Welch's last shift was Thursday 3/17/2016 where he attended advanced officer training for defensive tactics and first aid, 0800-1500 hrs. Sergeant Welch had four Guinness Draft bottled beers when he went home that evening. He consumed these between the hours of 1700-2130 hrs. Sergeant Welch had cabbage and corn beef for dinner along with water, which he had drank throughout the day. Sergeant Welch went to bed around 2230 hrs. and was woken up by a phone call at 0320 hrs. The phone call was in regards to a SWAT call out.

Sergeant Welch got dressed in his CCCSO department issued SWAT uniform, his hip pistol rig, his vest rig, and his M4 rifle. Sergeant Welch's uniform is green in color with Sheriff's office patches on either shoulder. Sergeant Welch's vest also contains Sheriff in yellow writing with his name, rank, and a badge.

The SWAT call out Sergeant Welch received was in regards to a barricaded subject in Byron, where SWAT snipers were to respond to the scene, while tactical entry was to respond to FOB to first obtain equipment, and then respond to the scene. HNT was on scene and negotiations had been on going.

Via a department issued Unusual Incident Report "UIR", which is disseminated via the CCCSO work email system, Sergeant Welch learned the incident had been ongoing since yesterday around 2200 hrs. He also learned deputies had gone to the location to serve an arrest warrant, and at one point the suspect presented a gun.

Sergeant Welch left his house around 0330 hrs. and responded to FOB. He helped load some of the SWAT vehicles and then responded to the scene. Once on scene, they saw Fire and AMR staged down the street. The snipers were first briefed and then the rest of the SWAT team was briefed. This is when Sergeant Welch learned the CCCSO tactical armored vehicle was already on scene, but stuck in the mud and that a CCCSO marine patrol truck was to be used to try and remove the SWAT vehicle. A group was then sent out to try and move the vehicle but it was unsuccessful. The SWAT group that had gone out to assist in this took over positions that patrol deputies were at.

Sergeant Welch, Sergeant Johnson, Deputy Rodriguez, Sergeant Gackowski obtained more chemical agents, as well as the less than lethal 40 mm launcher with blue sponge rounds, and CS canisters. Sergeant Welch was going to respond to Sergeant Ingrassia's position at the CCCSO SUV, but then saw HNT members, Sergeant Muse and Deputy Williams. Sergeant Welch told them they could head back to the HNT command post. Sergeant Welch then stayed on the side of the house, outside of the kitchen. Deputy E. Rossi, Sergeant Johnson, and Sergeant Gackowski were

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with him at this position. Sergeant Welch advised if they looked towards the south, at the "2 o'clock" mark, there was the CCCSO SUV where Sergeant Ingrassia, Deputy A. Rossi, and Deputy Hadley were at. They all stayed in their position while negotiations were being had. This went on for several hours, where Mallett would communicate and then not communicate with HNT. HNT Sergeant Muse and HNT Deputy Williams came back out and began to use the LRAD again to make announcements.

The command post decided to deploy a flash bang on the other side, as a stimulant. This seemed to work, as Mallett got back on the phone with HNT, where HNT had not been able to get Mallett on the phone to talk with them for a while. The communication then stopped again. Sergeant Welch was instructed to deploy two flash bangs on his side if they were able to. They were advised to deploy one, wait 15 seconds, deploy another, and then start LRAD again in an attempt to stimulant the communication. Mallett began talking to HNT again before Welch and his team did any deployment.

The communication eventually stopped again so the original plan for his team to conduct the deployment was reinstated. Sergeant Welch and his team deployed two flash bangs. Mallett started to communicate again, but the communication was on and off again. At one point they started to discuss how and when to disperse the hot gas amongst Sergeant Welch's team. Around this time, Sergeant Gackowski, Deputy Durrerr, and Sergeant Kohlmiere were hitting 18 hrs. shifts, so they were removed.

A plan was then made to deploy Ferret rounds with liquid CS into the hallway area and into another area in the backside of the residence. This was to prevent Mallett from leaving the master bedroom area and going into other areas of the house. Four were deployed and it was announced deployment was good. Less than a minute later, Sergeant Welch heard Deputy A. Rossi yell the window was opening. Sergeant Welch "kind of" knew what he was talking about and assumed it was the window just past the kitchen door. Sergeant Welch believed this, as he assumed that window was to the bathroom, due to the fact it was sheen with an access panel underneath, which he assumed was to the bathtub. Sergeant Welch had seen this window earlier when he was placing the LRAD in position. Sergeant Welch knew the window next to it was a smaller window.

Sergeant Welch then heard other people giving commands and also saw movement from the SWAT members at the CCCSO SUV, which is where Deputy A. Rossi, Deputy Hadley, and Sergeant Ingrassia were. Due to all this Sergeant Welch was under the assumption Mallett was coming out of a window. Sergeant Welch stated, "Next thing I see is someone coming through the air and landing in front of me in the grass. The subject stands up and in his right hand I see a black semi-automatic gun or pistol..., that subject stood up, he looked toward me, saw me and then started turning his body toward me." Sergeant Welch explained at this time he was in fear Mallett was going to shoot at him or one of his partners who was standing with Sergeant Welch. Sergeant Welch conducted a "double tap point shoot." Sergeant Welch was unsure if it was actually two or three rounds he fired at Mallett. Mallett then fell to the ground. Sergeant Welch saw out of his peripheral vision the gun Mallett was holding drop to the ground.

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Mallett had his hand stretched out and started to reach towards the direction of the gun. In response Sergeant Welch shot a couple more rounds at Mallett, in fear he would grab the gun. Mallett then stopped moving. Sergeant Welch and Deputy A. Rossi approached Mallett along with a couple more Deputies who provided cover. Sergeant Welch was not sure who these deputies were. Sergeant Welch and Deputy A. Rossi determined Mallett was no longer moving and they handcuff him. There was traffic occurring on the radio so Sergeant Welch could not initially advise what occurred, instead his first transmission was for code three medical. Sergeant Welch took his vest off to reach his bandages to provide aide to Mallett. Deputy A. Rossi did the same.

Sergeant Welch pulled out his medic scissors so they could cut Mallett's shirt for an assessment of his injuries. Sergeant Beard cut Mallett's shirt and they placed a bandage over one wound on Mallett's back. They then turned him over to assess for more injuries. AMR arrived on scene and took over the emergency care for Mallett.

Sergeant Welch and the other officers who shot were sequestered. Sergeant Welch assured that Deputy E. Rossi stayed with Mallett's gun before he was sequestered.

Back at the command post Sergeant Welch learned that Sergeant Johnson had also fired, as he had been sequestered.

Sergeant Welch described Mallett as a WMA, in his 40's, dark colored hair, wearing a greyish/bluish sweat shirt or "something", with pants.

I asked Sergeant Welch if Mallett looked directly at him. Sergeant Welch told me Mallett made eye contact with him, prior to turning and walking directly toward Sergeant Welch with the gun.

I asked Sergeant Welch how long it was from the time he saw Mallett appear before him to the time Mallett started to turn towards him. Sergeant Welch stated, "A few seconds."

I asked Sergeant Welch if he provided any commands to Mallett. Sergeant Welch told me he cannot remember but he heard several other people providing commands that Mallett was not listening to, such as "show me your hands."

I asked Sergeant Welch how many rounds he had in his magazine. Sergeant Welch told me yesterday his magazine had 28 rounds and when he was at the range he fired several rounds, possibly 11 rounds in total. Sergeant Welch then grabbed another magazine which had what he believed was 8-10 rounds. Sergeant Welch filled the magazine

Distribution

Additional Routing

Reporting Deputy (Print)
BUSCH,CORINNEDate / Time Written
5/5/2016 14:54:46Disposition
Closed otherApproving Supervisor(Print)
ALLDRITT,BENSupervisor No.
71008Date
5/9/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

he fired from with the 8-10 rounds from the other magazine. Sergeant Welch believed he had more rounds in his vehicle to top off his magazine. Sergeant Welch explained they usually top off their magazines when going to calls, and that this morning he realized he did not have more rounds. Due to this, Sergeant Welch advised he was not sure how many rounds were actually in his magazine.

Based on Sergeant Welch's estimation I conducted the math and calculated 27. I asked Sergeant Welch if this sounded correct. Sergeant Welch told me yes depending on how many rounds he actually fired but he was also unsure on that. Sergeant Welch believes he fired 5-8 rounds at Mallett.

I asked Sergeant Welch if there was anything else he thought was important that we had not asked. Sergeant Welch told me the statements that Mallett was telling HNT were being relayed to SWAT.

Sergeant Welch explained HNT relayed Mallett thought SWAT was going to go in and get him. Sergeant Welch explained this was not going to be the case, as they were going to wait until he came out. Sergeant Welch explained it did not appear that Mallett wanted to go to jail and that his family expressed they did not believe Mallett would actually shoot himself.

Sergeant Welch explained when Mallett jumped out of the house with the gun in his hand and did not obey the orders that were provided to him, such as "drop the gun, put your hands in the air, surrender" that caused Sergeant Welch to fear for both his safety and his partner's safety.

DA Inspector Morris asked Sergeant Welch when Mallett first faced him was the gun pointed directly at him or toward him. Sergeant Welch advised it was pointed down at the ground. DA Inspector Morris asked Sergeant Welch if Mallett started to raise the gun towards him when he started to walk toward Sergeant Welch. Sergeant Welch explained that Mallett turned his head toward him, then actually turned toward him. At that point, Sergeant Welch determined Mallett was a danger, as he had a gun, was not following instructions, and was starting to move towards him. Sergeant Welch then fired his weapon at Mallett.

I asked Sergeant Welch how he knew others fired as well. Sergeant Welch advised because he heard other shots being fired when he shot.

I asked Sergeant Welch if part of their SWAT training deals with reaction times and if so, could he explain it to me. Sergeant Welch told me it was and explained that someone with a gun who has it at a "low ready", at minimum it

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Supervisor No.

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will be a tie if they decide to lift it up and shoot it at you.

I asked Sergeant Welch how far he thought Mallett was from him when he saw the gun. Sergeant Welch stated, "5-7 yards." I asked Sergeant Welch where he was standing at the time of the shooting. Sergeant Welch told me next to the BBQ that was next to the bay window.

After I concluded the interviews I returned to Mallett's house for the service of the search warrant and collection of evidence.

AUTOPSY

On Monday 3/21/2016 at approximately 0800 hrs. I attended Mallett's autopsy. Dr. Joselyn, Assistant Jheoda, SAVES Volunteers Stacy Gerow and Natalie Eusebio, CCCSO CSI's Chabot and Ocampo-Fields, CCCSO Det. Root, and DA Inspector James were also present.

Dr. Joselyn advised the cause of death was multiple gunshot wounds.

I saw that Mallett's gunshot injuries were primarily on his right half of the body, which is the hand he was reported to have been holding the gun in.

MALLET'S ARREST WARRANT

I ran Mallett's information through the warrant system and saw he had an active arrest warrant, dated 3/17/2016, warrant# 04-186657-3-001. This warrant had a night service. (Warrant attached to this report.)

I also reviewed the CCCSO sexual assault reports listing Mallett as a suspect, DR# 16-1736.

SECOND SEARCH WARRANT

Detective Root wrote another search warrant for the forensic download of the electronic items taken from Mallett's residence pursuant to a search warrant. Refer to Detective Roots supplement.

On 3/21/2016, I obtained the electronic devices collected via the first search warrant from CSI Nyguen. I then provided these items to CCCSO HTCU Detective Mazerski to conduct the forensic download pursuant to the second

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search warrant that was obtained. After the forensic download of these items, Detective Root obtained a return order, which your honorable Judge Maier signed. These items were then returned to Mallett's wife, [REDACTED]

INTERVIEW OF NEIGHBOR: [REDACTED]

On the evening of the incident I was alerted to a newspaper article by my partner, Detective Frazier. This newspaper article was from The Press and was titled, "Byron man killed in police-involved shooting." I read the article and saw a neighbor was interviewed by the author, where they described the police presence at Mallett's house that night. This neighbor was listed as, [REDACTED] I did not see any other neighbors discussed.

On 3/22/2016, I ran this name through law enforcement and non-law enforcement data bases in an attempt to locate an address. I was unable to find anything. I called The Press and spoke to an editor who told me they would get a hold of [REDACTED] and see if she would be willing to talk to Detectives. I provided my phone number for [REDACTED] to call me. Later that afternoon [REDACTED] called me and told me she would be willing to discuss what she saw and heard. [REDACTED] agreed to meet DA Inspector Morris and I the following day at her residence, [REDACTED]

On 3/23/2016, at approximately 0930 hrs., we went to [REDACTED] residence to interview her. Prior to entering [REDACTED] house, I could see that her property had a good view of Mallett's property and residence, and that it appeared to be north/west of the Mallett's residence and approximately 300 yards away.

[REDACTED] told us the following in summary:

[REDACTED] has lived on [REDACTED] for approximately 5 years. She was not familiar with Mallett and his family and only knew they recently bought the property and the name on record was [REDACTED] as [REDACTED] is a real estate agent. [REDACTED] has only seen children at the residence and has not seen any adults when she has passed by. [REDACTED] noticed that any work done at the house was usually done after hours. [REDACTED] also noticed there were large dogs running around the property at times. [REDACTED] noticed all this, as she works from home a lot.

[REDACTED] explained her house is kitty corner to the Mallett's property and that her house is not the closest property, and the house that is, is currently vacant. [REDACTED] property and one other property would be the next closest.

[REDACTED] explained this other neighbor lived in a mobile home and that she was elderly, does not hear well, rarely comes out, and was possibly getting the early stages of dementia.

On 3/18/2016 [REDACTED] and her husband were asleep in bed when they were awoken around 0100 – 0230 hrs. by a robotic sounding voice that was "incredibly loud." There were also a lot of lights on outside. [REDACTED] master bedroom windows face the Mallett's property, so the sound and lights were coming directly into [REDACTED] bedroom window. It was clear to [REDACTED] contact was trying to be made with someone by the name of Michael Mallett at the house. There was a consistent PA system that was trying to make this contact. They asked him to pick up his cell phone, advised they were trying to contact him, they could work things out, and something about [REDACTED] being there and was worried about him. [REDACTED] explained that these things were said "over and over and over" again and it was clear they were trying to handle the situation peacefully.

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██████ did not know where the PA system was coming from but it sounded like it was right outside ██████ bedroom window. ██████ looked out of her bedroom window. ██████ explained that although she is not the closest neighbor to the Mallett's house, her house has complete open space between the two properties, so the sound travels and it also allows for a direct view.

██████ believes she saw 6-8 officers at the Mallett property. I asked ██████ what made it obvious to her they were police. ██████ told me she saw flashing red and blue lights, there were lights illuminating the house, police cars, and she heard an alarm that made the sound "ringer ringer." ██████ explained this alarm would go off between the announcements.

██████ called 911 and asked if their safety was at risk. She was advised no, but to stay inside the house.

I asked ██████ if she heard or saw anything later in the morning when it was daylight. ██████ told me yes and explained it never stopped. ██████ explained the PA system stopped at times, but would then pick up again. ██████ went out to get her mail and was told to go back inside by deputies. ██████ explained her husband was allowed to leave for work, but was advised he would not be allowed back in while the incident was occurring.

Around 0800/0900 hrs. ██████ went outside to feed her horses. ██████ heard a large boom that caused her house and the barn to shake. ██████ assumed it was a chemical gas that was released. There was a pause, followed by more of the alarm noise, then another series of the explosion noises. There was then dead silence, followed by what ██████ believed was gun fire. ██████ believes there were a couple of gun shots followed by several gunshots in a row. I asked ██████ if this happened during a short period of time. ██████ stated, "Very, very short period of time."

I asked ██████ if she heard any talking after that. ██████ explained she heard officers talking, radio noise, and then a helicopter landing, which seemed to happen pretty quickly.

I asked ██████ if she heard any actual commands by officers. ██████ told me, "not that was notable." ██████ explained she could hear officers talking back and forth though. ██████ explained at this time she was also on the phone with a client that was yelling at her to go back into the house, since she was outside and had already been told by police to stay inside. ██████ explained due to this she was "not super cognitive."

██████ explained later on another male subject came outside to talk to deputies after the incident, who said he lived in the area. ██████ did not know where this male lived as she has never seen him before. ██████ explained the subject was a WMA, 5-10, with dark hair, dark eyes, missing some teeth, and approximately 50 years old, and carrying an overweight Chihuahua.

This interview was audio recorded. For exact dictation, sequence, and context refer to the audio. I logged a disc with the audio into evidence.

HNT RECORDINGS

Distribution

Additional Routing

Reporting Deputy (Print)

BUSCH, CORINNE

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Closed other

Approving Supervisor(Print)

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Supervisor No.

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Detective Young obtained a copy of the HNT calls to Mallett via Sergeant Klawuhn who is part of HNT. I logged this disc into evidence.

In reviewing these recordings, I saw HNT called Mallett's cell phone several times from 0125 hrs. until 0444 hrs. In this time period several voicemails were left, identifying who was calling and asking Mallett to answer his phone so they could talk, advising him people were concerned about him, and that they wanted to make sure he was okay. At 0444 hrs., Mallett finally answered. During this call Mallett identifies himself and states he is not going back to jail, that he knew they had an arrest warrant for him and that they were about to arrest him. The HNT operator, Deputy Hunter, tried to tell Mallett court is where he could prove his innocence and that he still had options. Mallett told Deputy Hunter he did not see it that way and said things were not okay because we wanted to arrest him again. Deputy Hunter told Mallett they were all there to help him.

Mallett responded, "You guys don't want to help me. You want to just put me in jail and arrest me cause that's your job. There's no real helping here. I'm the criminal you need to arrest me and take me to jail. Well we got a problem because I'm not going to jail. So now that where we have this problem."

Deputy Hunter explained there was a warrant, but Mallett's safety was also their responsibility and explained to him his wife was worried about him.

Mallett responded, "I told her I will not go back to jail again." Mallett explained he did not think he would last in jail, that he did not feel like a person there, and that he could not do all that time sitting in a cell and being a burden on his family. Mallett explained he thought he would go crazy.

Mallett advised he needed to get off of the phone to think. He insisted he needed to be off the phone to do so when Deputy Hunter asked if he would stay on the line while he took his time to think. Mallett ended the conversation and said he had to go over everything and decide what he was going to do.

HNT called Mallett back several times and voicemails were also left. Mallett did not answer until 0510 hrs. where he told Deputy Hunter he did not think it was worth it to go to jail and put his family through a trial. Deputy Hunter asked Mallett if he was thinking of killing himself. Mallett responded, "I just know I'm not going back to jail."

Deputy Hunter assured Mallett how much he meant to his family and that his brother [REDACTED] was en route to talk to him. Mallett became emotional and hung up. HNT again tried to re-contact Mallett by calling and leaving voicemails. Mallett did not answer until 0532 hrs.

During this 0532 hrs. call, Mallett admitted to hanging up on HNT. Mallett told Deputy Hunter, "We're not talking about a couple of days. We're talking about probably a few years," in regards to how much jail time he would have to do and stated, "I'm not going to be a burden on them."

Deputy Hunter assured Mallett his family and dogs needed him. Mallett started to cry and stated "can't do it. Not in me." Deputy Hunter asked Mallett to come out and talk to them. Mallett stated, "no." Deputy Hunter assured Mallett no one wanted to hurt him and that he would be safe. Mallett again hung up.

HNT tried to get back into contact with Mallett by calling his cell phone several times and leaving voicemails. At 0829

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hrs. Mallett answered and asked to speak to [REDACTED] Deputy Hunter asked if Mallett heard the recorded message they played for him from [REDACTED] Mallett said yes, but he wanted to speak to him. Deputy Hunter advised that would be against protocol, but they could either have [REDACTED] record another message, she could relay a message, or Mallett could come out and speak to [REDACTED] Deputy Hunter told Mallett he would be safe if he came out to speak to [REDACTED] Mallett stated, "My safety is the last thing on my mind. I don't care about my safety."

In this conversation Mallett also advised he was not afraid to die and that he was holding a gun. Deputy Hunter told Mallett the gun concerned her and she wanted him safe. Mallett advised, "I'm not coming out. I'm not putting down the gun."

Deputy Hunter asked Mallett if he planned on shooting himself and expressed that we did not want to hurt him. Mallett responded, "You make sense. I understand what you are trying to do. You are trying to resolve this. I understand that." Noise could be heard in the background as though Mallett was doing something. The call then disconnected. HNT again tried to get a hold of Mallett through phone calls and voicemails. At 0854 hrs., Mallett answered his cell phone. Deputy Hunter told Mallett he could show good faith on his part by putting down the gun. Mallett responded, "no." Mallett stated, "I get this is a negotiation. I get something, you get something, but I don't need anything." Mallett explained there was a "slim chance" this would work out and again expressed he wanted to talk to [REDACTED] Deputy Hunter asked Mallett what he wanted to talk to [REDACTED] about. Mallett would only say, "this situation," and would not elaborate any further.

Mallett eventually stated, "I understand that is the only reason you haven't come in here because I'm in the house with a gun. Eventually you guys are going to have to come in here. Who knows what will happen then."

Deputy Hunter asked Mallett what he meant by that. Mallett replied, "You guys are going to come in here with force and I'm not going to put my hands on my head or get on the ground."

Deputy Hunter explained that we did not want to hurt him, which was why we were waiting outside and giving him time. Deputy Hunter told Mallett his family had not given up on him, so not to give up on them. Deputy Hunter told Mallett to put the gun down, come out of the house; no one was going to hurt him, and that he could talk to [REDACTED] then.

Mallett stopped responding verbally. Deputy Hunter continued to talk and eventually asked Mallett if he was still there. Mallett said he was still there, but was done talking for now. Mallett hung up.

HNT tried to get a hold of Mallett again through phone calls and voicemails. At 0924 hrs. Mallett answered the phone and said he needed to talk to [REDACTED] Deputy Hunter asked Mallett if he decided what he wanted to talk to [REDACTED] about. Mallett expressed he wanted to talk to [REDACTED] about it and told Deputy Hunter he knew she was trying, but her words were empty. Mallett stopped responding.

An alarm is heard in the back ground with an announcement telling Mallett, in summary, we don't want to hurt you, put the gun down, and to come out with his hands over his head. Another alarm followed this announcement. This is marked at 0939 hrs

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Beat: 32

DV: No

ARREST: No

Mallett still did not respond. An announcement is heard telling Mallett to talk on the phone.

Mallett is told again we do not want to hurt him. Noise is then heard in the background. A few seconds later shots are heard in the background. It appears to be multiple shots fired in a quick succession. I did not hear any obvious shots before or after this quick succession. HNT continues to talk, until radio traffic is heard advising what happened, and SWAT requesting an AMR. The line is disconnected by HNT after this.

CCCSO DISPATCH DISCS and CALL LOG

CCCSO Dispatch provided me a total of 15 discs containing the radio traffic for the incident, as well as a print out for the complete call. I logged the discs and call history into evidence.

I listened to Discs #1-4 since they covered the initial contact by the patrol deputies and was a time period that the HNT discs primarily did not cover, as they had not yet been requested. (Disc#3 and Disc#4 cover some of the initial activity from HNT)

Disc#1

The Delta patrol units advised they're responding to Hoffman place for a warrant service.

Once at the location the Delta units reported seeing a subject in the house, and then a female subject looking at them, walking into a bedroom, and closing the door. A Delta unit then reports, "He has a gun in his hand," and repeats himself. Dispatch relays this statement.

Deputy McLennan asks what location he was seen in. A Delta unit advised the subject put the gun down, grabbed a flash light and advised it looked like he was walking to the door.

The units are then heard asking each other if they see the subjects inside. A response of "negative" is given. The units are heard discussing what locations/views they have around the house. It is advised no subjects are seen by the front door or the hallway.

Dispatch asked the Sergeant if AMR is needed to stage. Dispatch is told yes, as well as to start a K-9 officer.

It is then advised 1W33 is on the phone with the female subject inside the residence. Transmissions about movements deputies are seeing in the house are broadcasted. A female is reported as coming out the back door and talking to Deputies.

A transmission is made advising they saw the male go back into the bedroom and that no gun is reported as being seen. It is relayed a female reported the male subject was not talking to her and she did not know what was going

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on. A Deputy is heard advising that the male subject had a large dog in the bedroom with him.

A transmission is then made, instructing more announcements be made. After a long period of time transpires it is relayed a female and a child are coming to the door. It is then relayed the sister-in-law told Deputies Mallett informed them if the police came to get him, he insinuated he would hurt himself. It is relayed the occupants that came out advised it would only be Mallett inside, along with the dogs.

Some transmissions about lighting the house up with the patrol car lights/flashlights and the best locations to do so are relayed.

DISC#2

A transmission regarding PA announcements being given is made. It is then transmitted the subject is seen in the back room with a gun. Dispatch repeats this transmission.

It is transmitted by a Deputy the gun is a black handgun and is held in his right hand. Sergeant Gackowski is heard telling the Deputy who saw this to give loud verbal commands, instruct the subject to drop the gun, walk out of the bedroom to the front door, with his hands up and empty.

Visual contact is then announced as being lost. Sergeant Gackowski advised to continue with the loud verbal commands.

Deputy Dombrowski is told to go to the front with the 40mm. (This is a less than lethal weapon which shoots sponge rounds.)

It is asked if there is a visual on the subject. A response of "negative" is given.

After a duration of time Sergeant Gackowski advised the wife received a text message from the subject, stating, "Always remember I love you. I'm so sorry I put you through this. Please forgive me."

It is then advised PA announcements are continuing.

DISC#3

After another long duration of time HNT units advised they are attempting to make contact. Approximately 15 minutes later HNT units advised the subject picked up and then hung up, and now it was now going to voice mail.

Deputy Piler announced he will continue to make PA announcements from the front. A unit in the back advised the same thing

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DISC#4

HNT advised the calls were going straight to voicemail. A unit is heard saying PA announcements are being made telling the subject to answer the phone. The LRAD is then introduced as a way to get Mallett's attention and response.

In reviewing these first discs it showed the initial information given at the briefing was consistent with what I heard on the dispatch tapes and what was written in the dispatch call log for this incident. I then listened to the disc that covered the time just before and during the actual shooting, which was disc # 9 and disc# 10.

Disc #8 is where they switched from the main radio channel to the SWAT channel

DISC#9

Sergeant Klawuhn with HNT advised all units they were on the phone with the subject who stated he wanted to speak to his brother, he was not afraid of dying, he has the gun in his hand, and he is refusing to come out.

A few minutes later Sergeant Klawhun advised all units the subject refused to put the gun down and he may use it to kill himself.

DISC#10

Deputy A. Rossi advised he saw the subject at the window. Sergeant Ingrassia advised he saw the subject walking toward the bathroom. Sergeant Ingrassia and Deputy Rossi continued to make transmissions in regards to the subject's movement, which is concentrated in the master bedroom and the master bathroom.

Lieutenant Beltran instructed for LRAD announcements to continue. HNT advised they were calling, but the subject was not answering.

A deputy advised the announcements are audible. HNT informed they are continuing to call the subject, but it is still going straight to voicemail.

HNT eventually transmitted they were in contact with the subject and continued to give updates on that contact. HNT advised the subject acknowledged their efforts but said their words were empty. The movement of the subject seen by SWAT members is transmitted as it occurs.

The 4 deployments of the CS Ferret rounds are discussed. There are then announcements when the deployments

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occur and a final announcement advising the deployments were successful. After a brief moment, it is transmitted shots were fired.

In reviewing disc#10, along with the call log, where dispatch writes what is said over the radio, there were several things being documented by Dispatch as being said that did not come over as recorded on the disc. On 3/29/2016, I contacted CCCSO Dispatch Supervisor Lisette Cortes and showed her the areas of discrepancy. Dispatch Supervisor Cortes advised sometimes the recorded radio traffic gets picked up on different modems. She told me she would have a technician come out and double check to see if the missing traffic could be located and obtained. Later that day Dispatch Supervisor Cortes advised the missing traffic was recorded and she made new discs. On 3/30/2016 I picked up the new discs, disc# 8-#12. I logged these discs into evidence.

In listening to discs #9 and #10 it was evident HNT was in constant contact with the SWAT members; advising them of what the subject was saying. It also showed consistency with Deputy A. Rossi, Sergeant Johnson, and Sergeant's Welch's statements, as well as with the recorded HNT calls to Mallett.

FORENSIC DOWNLOAD

I viewed the forensic download CCCSO HTCU Detective Masserski conducted of both Mallett's cell phone and his wife's cell phone. I saw the following:

- Text sent by Mallett to his wife, [REDACTED] this is the same text that was read over the radio to units on scene by Sgt. Gackowski. Sent 3/17/2016 at 23:25:02 hrs.; "Always remember I love you. I'm so sorry I put you through this. Please forgive me."
- Text sent by Mallett to his wife 3/17/2016 23:38:37 hrs., "I'm so thankful I at least got to spend 6 weeks with. I love you so much, don't ever forget that."
- Text from [REDACTED] 3/18/2016 at 01:08:15 hrs., "This is [REDACTED] they have my phone and may be texting you pretending to be me."
- Text from HNT 3/18/2016 at 02:55:32 hrs., "Mike this is Kristie with the Sheriff's Office. Will you answer your phone and speak with me? A lot of people are worried about you."
- Texts from 3/17/2016 23:29:30 hrs. - 3/18/2016 08:16:30 hrs., requesting Mallett answer his phone
- Internet searches from 3/18/2016 00:18:51 hrs. - 00:19:21 hrs. for the ingredients of Clorox bleach, lethal dose of bleach, lethal dose of hydrochloric acid, journal of experimental medicine, and the lethal dose of mutriatic acid
- Recorded voicemails from 3/18/2016 0126 hrs. - 0427 hrs. where HNT left messages asking for Mallett to answer, to talk to them, and expressing concern. On three of these messages it is clearly stated Sheriff's Office (03:43 hrs., 03:08 hrs., and 01:26 hrs.)
- Recorded voicemail from [REDACTED] 3/18/2016 04:28, asking Mallett to answer.

Distribution

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DR No: 1(34105

Sup No: ORIG

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DV: No

ARREST: No

I logged the following items into evidence

EVIDENCE

1. (15 discs; 18 pages) Dispatch Discs and call log
2. (1) Disc with interviews of CCCSO Sgt. Welch, Sgt. Johnson, and Dep. A. Rossi
3. (1) Disc with interview of neighbor
4. (1) Disc with HNT recordings and main logs
5. (1) Disc aerial photos
6. (5) Discs with missing radio dispatch radio traffic

NFI

Distribution

Additional Routing

Reporting Deputy (Print)

BUSCH,CORINNE

Date / Time Written

5/5/2016 14:54:46

Disposition

Closed other

Approving Supervisor(Print)

ALLDRITT,BEN

Supervisor No.

71008

Date

5/9/2016



DR No: 704105

Sup No: 0008

Page 1 of 5

OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

DR No. 160004105	Sup. No. 0008	Assignment HOM	Reported Date Thu 03/17/2016	Reported Time 2206	Status REPORT TO FOLLOW	Confidential? Yes	Entered By 74041
From Date Thu 03/17/2016	From Time 2206	To Date	To Time	Report Incident Type 1792	Use Of Force FIREARM		
Location 2700 HOFFMAN LN					City BYR	Zip 94514	
Offense No. 1	Offense PC245	Offense Description Felony assault/weapon					
Evidence Yes	Fingerprint No	Body Camera No	Marsy's Law No	Elder Abuse From SOC 341 No	Victim Response - 293 PC No	Missing/Stolen Value	Damaged Value

SYNOPSIS

This is a supplemental report.

SUBJECTS**VEHICLES****VESSELS****PROPERTY****MODUS OPERANDI****NARRATIVE**

This is a supplemental report.

Cross reference this report with DR # 16-1736, regarding S-Michael Mallett molesting his foster daughter.

Background information for DR # 16-1736 (for full details, refer to the reports written under department record 16-1736):

On 2/2/2016, Delta Station Deputy Singleton arrested Michael Mallett for crimes of sexual assault against his foster daughter [REDACTED] (herein referred to as Victim). On 2/3/2016, I was the Detective assigned to investigate this case, at which time, Michael was still in custody at the Martinez Detention Facility. On 2/3/2016, Detective N. Morris and I spoke to Victim and her sister at a Children and Family Services' center in Concord. After obtaining statements from Victim, Detective N. Morris and I transported Michael from the Martinez Detention Facility to the Field Operations Bureau in Martinez, to interview him. Before I started questioning Michael, or even reading Michael his Miranda rights, he requested an attorney. Michael was transported back to the Martinez Detention Facility.

On 2/3/2016, I authored a search warrant for semen within the garage of Michael's residence and jewelry store. Detectives served this search warrant the night of 2/3/2016. Swabs from Michael's residence and jewelry store were seized and sent to the Contra Costa County Crime Lab.

On 2/5/2016, I presented this case to Supervising Deputy District Attorney Bruce Flynn, who requested several more investigative interviews and the crime lab results prior to a decision on a criminal filing. As a result of not having a

Distribution

Additional Routing

Reporting Deputy (Print) VALKANOFF, STEVEN	Date / Time Written 4/19/2016 18:26:03	Disposition Closed other
Approving Supervisor(Print) ALLDRITT, BEN	Supervisor No. 71008	Date 4/26/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

complaint issued within 72 hours of his arrest, Michael timed out and was released from jail.

On 3/16/2016, I received the reports from the Contra Costa County Crime Lab in regards to Michael's semen in his residence and attic. On 3/17/2016, I met with Supervising Deputy District Attorney Paul Graves, who filed 12 child molestation charges against Michael.

End of summary.

On 3/17/2016, Judge T. Canepa signed the felony complaint against Michael, which I filed with the Martinez Superior Court Clerk. The bail amount for the warrant issued against Michael was \$1,150,000. Delta Station Sergeant Gackowski was contacted in regards to Michael's arrest warrant, as Delta Station Deputies were familiar with Michael and his residence.

The morning of 3/18/2016, I arrived at work and was notified that Michael barricaded himself inside of his residence after Deputies attempted to serve the arrest warrant. Later in the morning, I was notified that Michael was shot and killed by S.W.A.T. Deputies at his residence.

On 3/18/2016, at approximately 1057 hours, I arrived at 2700 Hoffman Lane in Byron to assist with the investigation of the death of Michael. I conducted scene walk through of the outside of the residence and observed a black handgun, outside of the residence, next to a door with broken glass. Lieutenant Beltran provided investigators from the Contra Costa District Attorney's Office and Sheriff's Office with a summary of the events that occurred, leading to Michael's death.

I was paired with Contra Costa District Attorney Inspector Richard Van Koll and tasked to interview the Pittsburg Police Officers on scene at Michael's residence during the incident.

The interviews with all three Pittsburg Police Officers were conducted on 3/18/2016. The interviews were audio recorded and a copy was logged into Investigation Evidence on 3/18/2016. For exact verbiage and sequence, refer to the audio recordings. The following are summaries of our interview with the Pittsburg Police Officers:

Interview of Pittsburg Police Officer N. Law at the Field Operations Bureau

Officer Law said he was at 2700 Hoffman Lane during the morning of 3/18/2016. I asked Officer Law what happened at the residence in the morning. Officer Law said around 0630 hours, he received a call from his S.W.A.T. Sergeant, Will Hatcher. Sergeant Hatcher told Officer Law to head to the Police Department due to something that was going on and the Sheriff's Office needed help. Officer Law got to the Police Department around 0700 hours and was told by Sergeant Hatcher that the Sheriff's Office requested the BEARCAT. Officer Law explained that the armored vehicle was made by a different company and called a "BAT."

Officer Law said he drove the armored vehicle to the command post (near Excelsior Middle School) with Officer Ruff and Sergeant Hatcher inside. Officer Law said they arrived around 0730 hours. Officer Law said he received a

Distribution

Additional Routing

Reporting Deputy (Print)
VALKANOFF, STEVEN

Date / Time Written
4/19/2016 18:26:03

Disposition
Closed other

Approving Supervisor(Print)
ALLDRITT, BEN

Supervisor No.
71008

Date
4/26/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

briefing and learned the Sheriff's Office BEARCAT got stuck in the mud. Officer Law said Sergeant Muse and Officer Williams got into their armored vehicle and everyone proceeded to the driveway of 2700 Hoffman Lane. Officer Law said he parked the armored vehicle near the front door. Sergeant Muse and Officer Williams then exited the armored vehicle with the L.R.A.D.

Officer Law said he sat in the armored vehicle and never got out. Officer Law further stated that no Pittsburg S.W.A.T. Officers got out of the armored vehicle during the incident. Officer Law said Sergeant Muse and Officer Williams got out of the armored vehicle right when it was parked. I asked Officer Law how long he was parked there for. Officer Law estimated it to be several hours, until the point 20 minutes after the shooting occurred.

I asked Officer Law if he ever saw the target person inside of the target residence. Officer Law said he never did. I asked Officer Law if he heard the announcements broadcasted over the L.R.A.D. Officer Law said he did. Officer Law said he heard verbal announcements as well as "alarm tone sounds." Officer Law said he could hear the sounds with the doors to the armored vehicle shut. I asked Officer Law if he remembered what was being broadcasted over the L.R.A.D. Officer Law paraphrased and said the announcements were for Michael to come out of the house with no gun. Inspector Van Koll asked how many times this announcement was made. Officer Law said it was between eight and 15 times and he would hear it every few minutes.

Officer Law said about 20 minutes after the shooting and after the residence was cleared, Officer Law got out of the armored car. Inspector Van Koll asked Officer Law if he heard the shooting. Officer Law said he heard muffled shots and estimated there were five to seven shots. Officer Law assumed, based on his experience, that the shots came from a rifle. Officer Law said immediately after the shots were fired, he heard medical staff being called.

Officer Law said he could not see into the house, but could see into the garage because it was open.

Officer Law said after the incident, a weapons check was conducted and the armored vehicle remained on scene. Officer Law said Sergeant Muse and Sergeant Ingrassia conducted a weapons check on the three Pittsburg Officers. Officer Law said he didn't fire his weapon.

End of summary.

Interview of Pittsburg Police Officer Ruff at the Pittsburg Police Department

Officer Ruff said he has been Employed with the Pittsburg Police Department for approximately eight years. I asked Officer Ruff if he went to 2700 Hoffman Lane in Byron during the morning. Officer Ruff said he did. Officer Ruff said he was on duty and received a call from S.W.A.T. Sergeant Hatcher, stating that the Sheriff's Office needed the assistance of Pittsburg Police Department's armored vehicle.

Officer Ruff got the armored vehicle ready and he was joined by Officer Law and Sergeant Hatcher. All three drove in the armored vehicle to Byron and met with Lieutenant Beltran at the command post around 0750 hours. Officer Ruff said he was given a briefing by Sergeant Gackowski and Lieutenant Beltran as far as what was happening and what

Distribution

Additional Routing

Reporting Deputy (Print)
VALKANOFF, STEVEN

Date / Time Written
4/19/2016 18:26:03

Disposition
Closed other

Approving Supervisor(Print)
ALLDRITT, BEN

Supervisor No.
71008

Date
4/26/2016

**OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY**
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

was needed from Pittsburg Police. Officer Ruff said the armored vehicle was driven to the target house at this point. I asked Officer Ruff who was in the vehicle.

Officer Ruff said Officer Law was driving, Sergeant Hatcher was in the front seat, Officer Ruff was in the back with Sergeant Muse and Officer Williams. Officer Ruff was not sure if there was one additional person in the armored vehicle at this time. Officer Ruff said Lieutenant Beltran gave him a box of flash bangs to transport to the target residence. Officer Ruff said Pittsburg Officers did not open the box of flash bangs. Officer Ruff said the Pittsburg Officers were directed (by Lieutenant Beltran) to park as close to the front door of the target residence as possible. Officer Ruff said the armored vehicle was parked on the driveway right next to the front door and garage of the target residence.

Officer Ruff said after the vehicle was parked, the three Pittsburg Police Officers remained inside of the vehicle and the Deputies got out of the vehicle. Officer Ruff said about ten minutes after the vehicle was parked, Deputy Kirkham walked from the garage to the armored vehicle and retrieved the box of flash bangs.

Inspector Van Koll asked if there was any video recording inside of the armored vehicle or worn body cameras. Officer Ruff said there was not.

I asked if any Pittsburg Officers got out of the armored vehicle while on scene. Officer Ruff said no Pittsburg members exited the vehicle. Officer Ruff said Sergeant Muse left a Sheriff's Office radio inside the armored vehicle, in order for the Pittsburg Officers to monitor what was going on.

I asked Officer Ruff if he had a view into the target house from the armored vehicle. Officer Ruff said he did not, but could see the Deputies inside of the garage. I asked Officer Ruff if he ever saw Michael during the incident. Officer Ruff said he did not.

I asked Officer Ruff if Sergeant Muse or Officer Williams made any announcements into the target house. Officer Ruff said he could hear announcements into the house via an L.R.A.D. Inspector Van Koll asked if Officer Ruff could determine what was being said in the announcement. Officer Ruff said he couldn't verbalize it.

I asked Officer Ruff if he heard gunshots while on scene. Officer Ruff said he did. I asked Officer Ruff how many shots he heard. Officer Ruff said it was seven to nine. Officer Ruff said he didn't see who shot a gun, nor did he see anyone get shot. I asked Officer Ruff if he heard anything over the radio after the gunshots. Officer Ruff thought someone said the suspect was down and medical was immediately called for.

Officer Ruff said after Michael was shot and the scene was secure, Pittsburg Officers got out of their armored vehicle. Officer Ruff said the armored vehicle was left on scene for any evidence processing and he was given a ride back to the Police department by Lieutenant Beltran.

Inspector Van Koll asked if there was a weapons inspection after the scene was secure. Officer Ruff said Sergeant Gackowski checked all of Officer Ruff's magazines to ensure they were fully loaded. Sergeant Gackowski also

Distribution

Additional Routing

Reporting Deputy (Print)
VALKANOFF, STEVENDate / Time Written
4/19/2016 18:26:03Disposition
Closed otherApproving Supervisor(Print)
ALLDRITT, BENSupervisor No.
71008Date
4/26/2016



DR No: 704105

Sup No: 0008

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

checked Officer Ruff's pistol to make sure there was a round in the chamber. Officer Ruff said all of his bullets were accounted for. Officer Ruff said all of the ammunition for the Pittsburg Officers were also accounted for.

Officer Ruff said Pittsburg Police involvement was minimal and their role during the morning was as a "rescue vehicle."

End of summary.

Interview of Pittsburg Police Sergeant Hatcher at the Pittsburg Police Department

Refer to Inspector R. Van Koll's supplemental report for the interview with Sergeant Hatcher.

Distribution

Additional Routing

Reporting Deputy (Print)
VALKANOFF, STEVEN

Date / Time Written
4/19/2016 18:26:03

Disposition
Closed other

Approving Supervisor(Print)
ALLDRITT, BEN

Supervisor No.
71008

Date
4/26/2016



DR No: 160004105

Sup No: 0005

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

DR No. 160004105	Sup. No. 0005	Assignment HOM	Reported Date Thu 03/17/2016	Reported Time 2206	Status REPORT TO FOLLOW	Confidential? Yes	Entered By 72981
From Date Thu 03/17/2016	From Time 2206	To Date Fri 03/18/2016	To Time 2200	Report Incident Type 245	Use Of Force NONE		
Location 2700 HOFFMAN LN					City BYR	Zip 94533	
Offense No. 1	Offense PC245B	Offense Description Assault W/ Deadly Weapon-Officer (F)					
Evidence No	Fingerprint No	Body Camera No	Marsy's Law No	Elder Abuse From SOC 341 No	Victim Response - 293 PC No	Missing/Stolen Value	Damaged Value

SYNOPSIS

This is a supplemental report to Detective Busch's original report.

SUBJECTS**VEHICLES****VESSELS****PROPERTY****MODUS OPERANDI**

Distribution

Additional Routing

Reporting Deputy (Print) ROOT, WILLIAM	Date / Time Written 3/22/2016 14:34:33	Disposition Closed other
Approving Supervisor(Print) ALLDRITT, BEN	Supervisor No. 71008	Date 4/28/2016



DR No: 10004105

Sup No: 0005

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

NARRATIVE

I am a detective with the Contra Costa County Office of the Sheriff. I am currently assigned to the Homicide Unit. This report documents my investigation into the death of Michael Mallett on 3-18-2016.

For ease of reading, first names are used.

NOTIFICATION:

On 3-18-2016 at approximately 0945 hours, I was contacted by Dispatch regarding the officer involved shooting of Michael Mallett. Dispatch asked me to respond 2700 Hoffmann Lane and meet with the deputies on scene.

INVESTIGATION:

Detectives Busch, Holland, Frazier, Bai, Norvell, and Sgt. Andaya also assisted with the investigation and interviewing of several witnesses. The Sheriff's Office Crime Lab was requested and responded to the scene to process it for evidence.

After we left the crime scene, I was asked to author a search warrant for 2700 Hoffman Lane and the property. I completed the search warrant and presented it to the Honorable Judge John T. Laettner. Judge Laettner signed the search warrant at 1525 hours; authorizing the search of the residence and property.

I called Detective Bai who was on scene at the residence and advised her that the Crime Lab could start processing the residence. Refer to Crime Lab supplemental reports for items taken from the residence as evidence.

NFI

Additional investigation will be documented in further reports.

Distribution

Additional Routing

Reporting Deputy (Print)

ROOT, WILLIAM

Date / Time Written

3/22/2016 14:34:33

Disposition

Closed other

Approving Supervisor(Print)

ALLDRITT, BEN

Supervisor No.

71008

Date

4/28/2016



DR No: 04105

Sup No: 0006

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat:

DV: No

ARREST: No

DR No. 160004105	Sup. No. 0006	Assignment HOM	Reported Date Thu 03/17/2016	Reported Time 2206	Status REPORT TO FOLLOW	Confidential? No	Entered By 71142
From Date Thu 03/17/2016	From Time 2206	To Date	To Time	Report Incident Type 245	Use Of Force NONE		
Location 2700 HOFFMAN LN					City BYR	Zip	
Offense No. 1	Offense PC245B	Offense Description Assault W/ Deadly Weapon-Officer (F)					
Evidence No	Fingerprint No	Body Camera No	Marsy's Law No	Elder Abuse From SOC 341 No	Victim Response - 293 PC No	Missing/Stolen Value	Damaged Value

SYNOPSIS

This is a supplemental report. See narrative.

SUBJECTS**VEHICLES****VESSELS****PROPERTY****MODUS OPERANDI****NARRATIVE**

On Friday, 3/18/2016, I assisted with the investigation of an Officer Involved Shooting (OIS) that occurred on Friday, 3/18/2016. I was paired with Senior Inspector Wally Trujillo of the Contra Costa County District Attorney's Office. We were tasked with interviewing members of the Hostage Negotiation Team (HNT).

All interviews were audio recorded and later logged into evidence. The following are summaries of the interviews I conducted; for exact verbiage refer to the recording:

Officer James Williams (Danville PD):

Officer Williams is a member of the Hostage Negotiation Team. At approximately midnight, Officer Williams received a phone call from Lieutenant A. Shields, who told Officer Williams there was an incident involving a barricaded subject.

Officer Williams met Sergeant D. Muse at the Field Operations Bureau (FOB), where they picked up equipment and a vehicle then proceeded to the scene, 2700 Hoffman Lane. At approximately 0100 hours Officer Williams and Sergeant Muse arrived on scene. Once on scene, Officer Williams and Sergeant Muse set up the long range acoustic device (LRAD) along the rear of the house, near the pool.

Officer Williams recorded several statements, approximately 30-40 messages, and he played them using the LRAD. Officer Williams said intermittently he would use the annoyance sound, which is a very loud sound designed to get the attention of a subject. Officer Williams said SUS-Michael Mallett did not respond to him at all throughout the incident. While Officer Williams made attempts to make physical contact with Mallett, Deputy K. Hunter tried to call directly into the house via phone.

Distribution**Additional Routing**

Reporting Deputy (Print) NORVELL, THOMAS	Date / Time Written 3/29/2016 07:53:32	Disposition Closed other
Approving Supervisor(Print) ALLDRITT, BEN	Supervisor No. 71008	Date 4/28/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat:

DV: No

ARREST: No

After hours of continual attempts to make contact with Mallett, a third party intermediary (TPI) message was used to get Mallett's attention. The TPI was a message recorded by Mallett's brother, [REDACTED]. Officer Williams said he played the message over the LRAD. The message urged Mallett to end everything peacefully.

After playing the TPI, Officer Williams received a message that Mallett was communicating via phone with other HNT members. At some point, the SWAT team attempted alternative methods of attaining Mallett's attention. Officer Williams approximated SWAT members introduced three "flash bangs" throughout the incident to get the attention of Mallett.

Toward the end of the incident, SWAT members introduced gas into the residence. At that point, Officer Williams and Sergeant Muse moved away from the house to where the "Bear Cat" was located.

After gas was introduced, Officer Williams heard someone say the subject was coming out the window and "gun, gun, gun" then Officer Williams heard 4 to 5 rapid shots. Officer Williams could not see anything from his position at the "Bear Cat" vehicle.

Following the shooting, Officer Williams walked up to where Mallett was on the ground. Officer Williams saw Sergeant P. Beard and other SWAT members trying to "stop the bleeding." Fire and EMT personnel were on scene and tended to Mallett. Shortly after Mallett was taken to the ambulance, Officer Williams heard Mallett was pronounced deceased.

Officer Dallas Collier (Oakley PD):

Around midnight, Officer Collier received phone calls about the barricaded subject at 2700 Hoffman Lane. Officer Collier arrived on scene and it was determined he would be the "coach" for Deputy K. Hunter, who was designated the primary negotiator. Deputy Parrish arrived and was designated the "scribe." Sergeant Rivera supervised the HNT members on scene.

Around 0130 hours, HNT began attempting to contact Mallett. The mobile command vehicle (MCV) arrived on scene and HNT transferred the equipment to the MCV, then moved from Excelsior Middle School to Byron HWY and Hoffman Lane. Around 0300 hours, attempts to contact Mallett were reinitiated.

Officer Collier estimated approximately seven total conversations were had with Mallett. Officer Collier was able to hear the phone conversations between Deputy Hunter and Mallett through his head set. During the conversations, Officer Collier heard Mallett say he did not want to go back to jail. Officer Collier said Mallett was adamant he was not going to come out with his "hands up." Officer Collier said it appeared to him that Mallett was going to attempt "suicide by officer."

At some point during the incident, Mallett's brother, [REDACTED] was on scene and recorded a message for Mallett to listen to. Mallett told Deputy Hunter he heard [REDACTED] recorded message played on the LRAD. Officer Collier said Mallett did not appear receptive to want to end the incident peacefully.

Once SWAT introduced gas into the residence, Officer Collier heard, over the phone, glass shattering and sounds like Mallett had put the phone down. Officer Collier said it sounded like Mallett sniffled or was blowing his nose due to the effects of the gas. Officer Collier heard shouting to drop the gun then heard gun

Distribution

Additional Routing

Reporting Deputy (Print)
NORVELL, THOMASDate / Time Written
3/29/2016 07:53:32Disposition
Closed otherApproving Supervisor(Print)
ALLDRITT, BENSupervisor No.
71008Date
4/28/2016

**OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY**
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat:

DV: No

ARREST: No

shots. Officer Collier said he heard maybe five rapid gun shots. From Officer Collier's position he could not see anything.

After being told by Sergeant Rivera shots had been fired, the phone call was ended.

Officer James Lang (Danville PD):

At approximately 0400 hours, Officer Lang received a phone call from Sergeant M. Klawuhn and was told there was a barricaded subject in Byron, CA. Sergeant Klawuhn requested Officer Lang to bring a LRAD to the scene with him, which he did. Around 0530 hours, Officer Lang met with [REDACTED] and they discussed Mallett's life as well as possible weapons within the residence. [REDACTED] told Officer Lang he believed Mallett had a semi-automatic hand gun with him. [REDACTED] told Officer Lang that Mallett thought the criminal case might be going away since Mallett had not heard anything, but when the deputies arrived to arrest him it may have pushed Mallett over the edge.

Officer Lang heard Mallett say he would not drop the gun or put his hands up if officers came inside. From Officer Lang's position, he could not see anything.

Sergeant Paul Beard (Marine Patrol):

Sergeant Beard was notified by Lieutenant A. Shields there was a SWAT call for an armed barricaded subject at 2700 Hoffman Lane. Sergeant Beard, sniper team leader, notified the other members of the sniper team. Once on scene, Sergeant Beard met with Lieutenant J. Beltran and they devised a plan for the snipers. Once all snipers were present, the snipers deployed to their assigned positions.

Deputy K. Morris and Sergeant Beard were approximately 61 yards away from the residence at the gravel pit on what the SWAT team referred to as the "four side." After a few hours on scene, it was determined the SWAT team was going to introduce gas into the residence. Gas was deployed into the residence. Sergeant Beard and Deputy Morris kept focused on the glass door. Sergeant Beard heard Deputy Morris say there he is and he's got a gun. Sergeant Beard "swung" his rifle over, slightly and he could see Mallett already out of the house. Sergeant Beard's rifle scope was powered down to 4 ½ power.

Mallett was in the view of Sergeant Beard's scope when he saw Mallett turn toward the direction of himself and Deputy Morris. Sergeant Beard did not believe Mallett saw them as they were lying in the prone position behind tall grass. Sergeant Beard believed Mallett just happened to turn toward their direction.

From Sergeant Beard's position, he could not see Mallett's hand and could not see him with a gun in his hand. Deputy Morris told Sergeant Beard he could see Mallett with the gun. Sergeant Beard recognized the male from a photo he had been shown earlier. Sergeant Beard could clearly see the male and recognized him as Mallett.

Sergeant Beard placed the cross hairs of his scope on Mallett's sternum. Sergeant Beard was prepared to shoot based on Deputy Morris' statement that Mallett had a gun as well as the veil threats Mallett made during the incident. Sergeant Beard feared for the safety of the SWAT team members he knew were in the vicinity of Mallett. Sergeant Beard would have fired a shot, but since he could not see Mallett's hands Sergeant Beard was unaware if Mallett dropped the gun. Sergeant Beard heard shouting for Mallett to "drop the gun."

Distribution

Additional Routing

Reporting Deputy (Print) NORVELL, THOMAS	Date / Time Written 3/29/2016 07:53:32	Disposition Closed other
Approving Supervisor(Print) ALLDRITT, BEN	Supervisor No. 71008	Date 4/28/2016



DR No: (04105

Sup No: 0006

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY**CA0070000**

P.O. BOX 391, Martinez, California 94553-0039

Beat:

DV: No

ARREST: No

Sergeant Beard heard the "rounds going off" and saw the "bullet impact" to Mallett's body. Sergeant Beard left his position and went to where Mallett was on the ground. Sergeant Beard assessed Mallett's injuries, put on a pair of gloves from Deputy Rossi's trauma kit, then removed the hand cuffs. Sergeant Beard began cutting Mallett's clothing off. Mallett was rolled over onto his back and Sergeant Beard continued cutting Mallett's clothing away. Professional medical personnel arrived and Sergeant Beard confirmed they wanted him to continue cutting the clothing away.

Sergeant Beard estimated hearing approximately ten shots being fired. Through Sergeant Beard's scope, he could see Mallett's body convulse approximately three times as the rounds hit Mallett's body. Sergeant Beard estimated hearing "drop the gun" approximately three to four times. Sergeant Beard said he saw when Mallett was outside the house Mallett turned in the direction where Sergeant Beard knew there to be SWAT members. Sergeant Beard said he saw Mallett move quickly toward the direction of the SWAT members prior to hearing/seeing the shots being fired.

See Senior Inspector W. Trujillo's report for further information regarding the following interviews:

Deputy Landy Hernandez-Sotelo

Officer Nick Muller (Danville PD)

Sergeant Jose Rivera (Danville PD)

After the interviews were completed, I went to 2700 Hoffman Lane and assisted with searching the residence.

Evidence:

CD recordings of all interviews

Distribution

Additional Routing

Reporting Deputy (Print)
NORVELL, THOMASDate / Time Written
3/29/2016 07:53:32Disposition
Closed otherApproving Supervisor(Print)
ALLDRITT, BENSupervisor No.
71008Date
4/28/2016



DR No: 004105

Sup No: 0007

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

DR No. 160004105	Sup. No. 0007	Assignment HOM	Reported Date Thu 03/17/2016	Reported Time 2206	Status REPORT TO FOLLOW	Confidential? Yes	Entered By 72331
From Date Thu 03/17/2016	From Time 2206	To Date	To Time	Report Incident Type 245	Use Of Force NONE		
Location 2700 HOFFMAN LN					City BYR	Zip	
Offense No.	Offense	Offense Description					
Evidence Yes	Fingerprint No	Body Camera No	Marsy's Law No	Elder Abuse From SOC 341 No	Victim Response - 293 PC No	Missing/Stolen Value	Damaged Value

SYNOPSIS

Refer to narrative.

SUBJECTS

Witness	Invl. No. 1	Type Individual	Name GOODRICH, SCOTT								
	Race WHITE	Gender MALE	DOB [REDACTED]	AGE 24	To Age	Height	To Height	Weight	To Weight	Juvenile? No	
	Hair Color	Eye Color	Skin	General Appearance		Build	Clothing Description				
	Hair Description		Facial Features		Speech		Demeanor		Deformity		
	Further Description Medic #50										
	Address Type	Location					City	State	Zip		
	ID Type	ID No.			Operator License State						
	Offense Link	Offense			Phone Type		Phone Number				
	Email Type	Email									
	Mark Type	Mark Code		Mark Description							
	Employer / School AMR				Position / Grade EMT			Empl. From Date		Empl. To Date	
	Empl. Location				Empl. City			Empl. State		Empl. Zip	
	Empl. Contact				Empl. Phone Type			Empl. Phone			

Distribution

Additional Routing

Reporting Deputy (Print) FRAZIER, CLIFFORD	Date / Time Written 3/29/2016 15:25:05	Disposition Referred
Approving Supervisor (Print) ALLDRITT, BEN	Supervisor No. 71008	Date 4/28/2016



DR No: 004105

Sup No: 0007

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Witness	Invl. No	1	Type	Individual	Name									
					KEIZER, BEN									
	Race		Gender		DOB	AGE	To Age	Height	To Height	Weight	To Weight	Juvenile?		
	WHITE		MALE			36						No		
	Hair Color		Eye Color		Skin	General Appearance		Build		Clothing Description				
	Hair Description		Facial Features			Speech		Demeanor			Deformity			
	Further Description													
	AMR Acting Supervisor													
	Address Type		Location						City		State		Zip	
	ID Type		ID No.			Operator License State								
	Offense Link		Offense			Phone Type		Phone Number						
Email Type		Email												
Mark Type		Mark Code			Mark Description									
Employer / School					Position / Grade			Empl. From Date		Empl. To Date				
AMR					Paramedic									
Empl. Location					Empl. City			Empl. State		Empl. Zip				
Empl. Contact					Empl. Phone Type			Empl. Phone						
Witness	Invl. No	1	Type	Individual	Name									
					RODR, CHAD									
	Race		Gender		AGE	To Age	Height	To Height	Weight	To Weight	Juvenile?			
	WHITE		MALE		25						No			
	Hair Color		Eye Color		Skin	General Appearance		Build		Clothing Description				
	Hair Description		Facial Features			Speech		Demeanor			Deformity			
	Further Description													
	Address Type		Location						City		State		Zip	
	ID Type		ID No.			Operator License State								
	Offense Link		Offense			Phone Type		Phone Number						
Email Type		Email												
Mark Type		Mark Code			Mark Description									
Employer / School					Position / Grade			Empl. From Date		Empl. To Date				
Cal-Fire					Firefighte									
Empl. Location					Empl. City			Empl. State		Empl. Zip				
Sunshine Station														
Empl. Contact					Empl. Phone Type			Empl. Phone						
VEHICLES														
VESSELS														
Distribution														
Additional Routing														
Reporting Deputy (Print)					Date / Time Written			Disposition						
FRAZIER, CLIFFORD					3/29/2016 15:25:05			Referred						
Approving Supervisor (Print)					Supervisor No.			Date						
ALLDRITT, BEN					71008			4/28/2016						



DR No: 004105

Sup No: 0007

Page 3 of 8

OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

PROPERTY**MODUS OPERANDI****NARRATIVE**

On 03/18/2016, at approximately 0945 hours, I was informed there had been an officer involved shooting in Byron. I drove to the location and arrived on scene at approximately 1127 hours.

As I approached the residence located at 2700 Hoffman Lane, I saw several Sheriff's Office Detectives and several Inspectors from the District Attorney's office standing in a group. I walked up to the group and found Lt. Beltran was giving a briefing on the incident. I looked around the area of the shooting and saw a handgun on the ground, blood, and what appeared to be damage from bullets on the house concrete.

After the briefing, I was told that S-Mallett was in the back of an ambulance parked on the residence driveway. I went to the ambulance where I saw Mallett. Mallett appeared to have several gunshot wounds, for further information about Mallett's injuries, refer to the Coroner report.

At approximately 1215 hours, I assisted Detective Busch with placing evidence markers near evidence at the scene of the shooting. I also placed a temporary paper marker near apparent blood I saw on the residence driveway, the marker was later replaced with a plastic type marker. Refer to the crime scene photographs for further information about the crime scene and evidence markers.

I returned to the F.O.B. where I attended a briefing on the incident given by Sergeant Brown at approximately 1345 hours. At the conclusion of the briefing I was assigned to work with Senior Inspector McLaughlin. Senior Inspector McLaughlin and I were assigned to interview the Fire, Medical, and Animal Control personnel who were on scene.

Senior Inspector McLaughlin and I returned to 5700 Hoffman Lane where we interviewed EMT's Goodrich, Scott, and Leon, Isaiah.

Distribution

Additional Routing

Reporting Deputy (Print)
FRAZIER, CLIFFORDDate / Time Written
3/29/2016 15:25:05Disposition
ReferredApproving Supervisor(Print)
ALLDRITT, BENSupervisor No.
71008Date
4/28/2016

**OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY**
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

AMR-Goodrich, Scott Interview

Goodrich is an EMT who had been employed by AMR for approximately four years. Goodrich's call sign at the time of the incident was Medic 50. I recorded the interview with Goodrich using a digital audio recorder. I later copied the recording to a disk and booked the disk into evidence. Refer to the audio recording for exact verbiage, sequence, and context. Goodrich told Senior Inspector McLaughlin and I the following in summary;

Goodrich started duty at 0500 hours, and was assigned to relieve another unit (Medic 85) near the scene. Goodrich and his partner (Leon, Isaiah) relieved the unit at approximately 0545 hours. Goodrich and his partner were staged in their ambulance approximately one mile or less from the scene of the shooting. Goodrich knew the reason the ambulance was standing by was for a barricaded subject.

At approximately 0940 hours, Goodrich heard what sounded like approximately four or five gunshots. Approximately 30-40 seconds after the sound of the shots, Goodrich and Leon were told to go to the residence by a Deputy Sheriff.

Goodrich and Leon went to the residence where they were met by another Deputy who told Goodrich there was a person down in the back of the residence and directed Goodrich to the area. Goodrich and Leon grabbed their equipment and went to Mallett's location.

Mallett was on the ground and was still breathing. Leon stayed with Mallett and Goodrich returned to the ambulance to get the back board. Goodrich returned to Mallett with the back board. Mallett's clothing was cut off; Mallett was placed on the back board. Goodrich and Leon carried Mallett to their gurney and loaded Mallett into the back of the ambulance.

I asked Goodrich if he saw any injuries on Mallett. Goodrich first saw an injury on each of Mallett's arms and noticed

Distribution

Additional Routing

Reporting Deputy (Print)
FRAZIER, CLIFFORDDate / Time Written
3/29/2016 15:25:05Disposition
ReferredApproving Supervisor(Print)
ALLDRITT, BENSupervisor No.
71008Date
4/28/2016



DR No: 704105

Sup No: 0007

Page 5 of 8

OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

Beat: 32

CA0070000

DV: No

P.O. BOX 391, Martinez, California 94553-0039

ARREST: No

Mallett's breathing was labored.

Goodrich and Leon got into the back of the ambulance and began treating Mallett by preparing I.V. fluids and dressing wounds. Mallett was hooked up to a monitor to measure vital signs. AMR supervisor (Keizer, Ben) was on scene and noticed Mallett's vital signs began to deteriorate. Mallett no longer had a pulse and CPR was initiated.

Leon attempted to "needle decompress" Mallett's lungs. Goodrich drove the ambulance to a position on the driveway as a medical helicopter was landing. A nurse from the helicopter came and entered the ambulance. The flight nurse declared Mallett dead. Goodrich thought death was declared at 1013 hours, but was not sure.

Mallett did not say anything while Goodrich was present.

Refer to Senior Inspector McLaughlin's report for Leon's interview.

AMR Supervisor Keizer, Ben interview

At approximately 1545 hours, Senior Inspector McLaughlin and I went to 2400 Balfour Road in Brentwood where we spoke with acting AMR Supervisor Keizer, Ben. I recorded the interview of Keizer using a digital audio recorder. I later copied the recording to a disk and booked the disk into evidence. Refer to the disk for exact verbiage, sequence, and context. Keizer told Senior Inspector McLaughlin and I the following in summary;

Distribution

Additional Routing

Reporting Deputy (Print)
FRAZIER, CLIFFORDDate / Time Written
3/29/2016 15:25:05Disposition
ReferredApproving Supervisor(Print)
ALLDRITT, BENSupervisor No.
71008Date
4/28/2016

**OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY**
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Keizer has been employed with AMR for almost five years and is currently an acting supervisor and is also a licensed Paramedic.

An AMR unit was staged at the request of the Sheriff's Office for a barricaded subject. Keizer was told about the staged unit when he came on duty at approximately 0700 hours. Keizer went to the location and staged with the ambulance.

Prior to being called to the scene Keizer hear some loud noises but was not able to tell what the noises were as he was on his phone. Keizer was signaled to head to the scene by the ambulance crew. Once Keizer went to the scene he saw Mallett on the ground with multiple gunshot wounds. Mallett was breathing and had blood pressure, but was not responsive. Mallett was moved from the back yard of the residence to the ambulance.

Once Mallett was in the ambulance advanced life support treatment was started. A life support helicopter was requested by Deputies who were on scene as Keizer and the ambulance crew (Leon and Goodrich) drove to the scene of the shooting from the staging area.

About the time the helicopter was over head, Mallett lost his pulse and stopped breathing. Keizer and the ambulance crew continued resuscitation efforts.

Keizer saw multiple signs of trauma on Mallett's left foot, right arm, left arm, anterior torso and leg, possibly a closed wound on the back right shoulder blade, abdominal trauma with possible protruding organs.

When the air crew arrived on scene they did an assessment of Mallett and were given report on Mallett's condition and what treatment Mallett had received. A decision was made to cease resuscitative efforts and Mallett was pronounced dead at 1013 hours. Mallett did not speak while Keizer was present.

Distribution

Additional Routing

Reporting Deputy (Print)
FRAZIER, CLIFFORDDate / Time Written
3/29/2016 15:25:05Disposition
ReferredApproving Supervisor(Print)
ALLDRITT, BENSupervisor No.
71008Date
4/28/2016

**OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY**
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Senior Inspector McLaughlin and I went to 11851 Marsh Creek Rd, Clayton where we spoke with Cal-Fire Captain Jorgensen and Firefighters Rodr and Pierce.

Cal-Fire Firefighter Rodr, Chad

At approximately 1620 hours, Senior Inspector McLaughlin and I interviewed Firefighter Rodr. I recorded the interview using a digital audio recorder. I later copied the recording to a disk and booked the disk into evidence. For exact verbiage, sequence and context refer to the audio recording. Firefighter Rodr told Senior Inspector McLaughlin and I the following in summary;

Firefighter Rodr and his crew were assigned to cover fire station 52 in Brentwood, while at the station Rodr and his crew were dispatched to the staging area to relieve engine 52.

Firefighter Rodr arrived at the staging area and was there approximately 40 minutes when he heard what sounded like approximately six gunshots. Medic 50 was also at the staging area when Firefighter Rodr arrived.

After the gunfire Firefighter Rodr and medic 50 were signaled to go to the scene of the shooting by a Deputy. The fire truck followed the ambulance to the residence. The ambulance crew was at the scene first. The ambulance crew told Firefighter Rodr to "spike" two bags (I.V. bags). Firefighters Rodr and Pierce prepared the I.V. fluid bags and the ambulance crew brought Mallett to the ambulance. Captain Jorgensen got a call that the air ambulance was coming in so Captain Jorgensen set up the landing zone.

Firefighter Rodr saw what he believed were multiple injuries caused by bullets on Mallett's body. Firefighter Rodr assisted with CPR for approximately 15-20 minutes. The Flight Nurses arrived on scene and assessed if there were any other life saving measures that could be taken and determined there were not. The Flight Nurses pronounced Mallett dead. Mallett did not speak while Firefighter Rodr was present.

Distribution

Additional Routing

Reporting Deputy (Print)

FRAZIER, CLIFFORD

Date / Time Written

3/29/2016 15:25:05

Disposition

Referred

Approving Supervisor(Print)

ALLDRITT, BEN

Supervisor No.

71008

Date

4/28/2016



DR No: 104105

Sup No: 0007

Page 8 of 8

OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Evidence:

Disk with recorded Interviews

Distribution

Additional Routing

Reporting Deputy (Print)

FRAZIER, CLIFFORD

Date / Time Written

3/29/2016 15:25:05

Disposition

Referred

Approving Supervisor(Print)

ALLDRITT, BEN

Supervisor No.

71008

Date

4/28/2016



DR No: 1(4105

Sup No: 0002

Page 1 of 1

OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

DR No. 160004105	Sup. No. 0002	Assignment DEL	Reported Date Thu 03/17/2016	Reported Time 2206	Status REPORT TO FOLLOW	Confidential? No	Entered By 76513
From Date Thu 03/17/2016	From Time 2206	To Date	To Time	Report Incident Type 245B	Use Of Force FIREARM		
Location 2700 HOFFMAN LN					City BYR	Zip 94514	
Offense No. 1	Offense PC245B	Offense Description Assault W/ Deadly Weapon-Officer (F)					
Evidence No	Fingerprint No	Body Camera No	Marsy's Law No	Elder Abuse From SOC 341 No	Victim Response - 293 PC No	Missing/Stolen Value	Damaged Value

SYNOPSIS

This is a supplemental report to Detective Busch's original report. On 3/18/2016 at approximately 1832 hours, I relieved Deputy Parenti and took control of the crime scene log. The scene was cleared of all personnel at approximately 2043 hours. I attached a copy of the crime scene log to this report, and I booked it into Delta Station Evidence. NFI.

SUBJECTS**VEHICLES****VESSELS****PROPERTY****MODUS OPERANDI****NARRATIVE****Distribution****HOMICIDE SERGEANT,****Additional Routing**Reporting Deputy (Print)
SMITH,JAMISONDate / Time Written
3/19/2016 05:56:43Disposition
ReferredApproving Supervisor(Print)
TERRILL,LEVISupervisor No.
66727Date
4/16/2016

Crime Scene Order of Entry

Date: 3/18/16
DR #: 16-4105

SLT.



DR No: 04105

Sup No: 0001

Page 1 of 1

OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

DR No. 160004105	Sup. No. 0001	Assignment DEL	Reported Date Thu 03/17/2016	Reported Time 2206	Status REPORT TO FOLLOW	Confidential? Yes	Entered By 55485
From Date Thu 03/17/2016	From Time 2206	To Date	To Time	Report Incident Type 1792	Use Of Force NONE		
Location 2700 HOFFMAN LN					City BYR	Zip 94514	
Offense No. 1	Offense 1792	Offense Description Non-Criminal					
Evidence No	Fingerprint No	Body Camera No	Marsy's Law No	Elder Abuse From SOC 341 No	Victim Response - 293 PC No	Missing/Stolen Value	Damaged Value

SYNOPSIS

This is a supplement to Detective Busch's report.

At approximately 1045 hours, I was asked to start and maintain a log of the personnel coming and going from 2700 Hoffman Ln., in Byron. I was posted at the foot of the driveway.

The log begins at 0944 hours, the time when protocol was invoked. All entry and exit times are approximate.

At 1830, I was relieved by Deputy Smith. The persons on my list with no exit times were still present when I was relieved.

I submitted the original crime scene log into evidence at Delta Station.

SUBJECTS

VEHICLES

VESSELS

PROPERTY

EVIDENCE	Inv. Date 03/18/2016	Article OTHER			Serial No.	In Custody? No	# Pieces 5
	Value		Owner Applied Number	Description Crime scene log 0944-1830, 5 pages			
	Tag Number	Item Number	Disposition	Disposition Date	Storage Area		
	Link	Involvement	Name				DOB

MODUS OPERANDI

NARRATIVE

Distribution
HOMICIDE SERGEANT,
Additional Routing

Reporting Deputy (Print) PARENTI, MATTHIAS	Date / Time Written 3/19/2016 11:16:43	Disposition Referred
Approving Supervisor(Print) JIMENEZ, ROBERT	Supervisor No. 61967	Date 3/26/2016

☐ Continuation
☐ Supplemental

CONTRA COSTA COUNTY SHERIFF'S DEPARTMENT CA0070000
P.O. Box 391, Martinez, California 94553-0039

Beat _____
☐ D.V. ☐ HRO ☐ Arrest ☐ SI

1. DR No. 16-4105	2. City Code DBL	3. Crime/Classification	4. Detail 1. 2.	5. Reclassification <input type="checkbox"/>
6. Victim Name (L, F, M)		7. Date/Orig. Report 3/18/16	8. Employee No. 55485	
9. Address / Location of Occurrence 2700 HOFFMAN LN, BERON		10. Suspect's Name (L, F, M)		
11. Property Description: Impounded, Recovered, Found, Lost, Stolen - Item Number, Article, Quantity, Brand/Make/Manufacturer's Model Number, Serial Number, Miscellaneous Description, Location Where Taken, Value, Include Total Loss - LIST IN FOLLOWING ORDER: A) Currency, Notes; B) Jewelry; C) Clothing, Furs; D) Vehicles; E) Office Equipment; F) Radio, TVs, etc.; G) Firearms; H) Household Goods; I) Misc.				
12. Recovered Property \$		13. Narrative / Statements (1)		

Crime Scene Log

(2)	Name	Organization	(Date/Time) IN	(Date/Time) OUT
(3)				
(4)	GACKOWSKI	CCCSO	0944	1129
(5)	HUNTER	CCCSO	0944	1200
(6)	MUSE	CCCSO	0944	1127
(7)	METH	CCCSO	0944	1410
(8)	RIVERA	CCCSO	0944	1200
(9)	BELTRAN	CCCSO	0944	1200
(10)	KLAUHN	CCCSO	0944	1200
(11)	COLLIER	CCCSO	0944	1200
(12)	J. WILLIAMS	CCCSO	0944	1200
(13)	M. PARRISH	CCCSO	0944	1200
(14)	SHIELDS	CCCSO	0944	1209
(15)	HERNANDEZ-SOTELO	CCCSO	0944	1200
(16)	E. ROSSI	CCCSO	0944	1200
(17)	T. NELSON	CCCSO	0944	1200
(18)	DURRER	CCCSO	0944	1129
(19)	KOHLMAIER	CCCSO	0944	1200
(20)	FLIER	CCCSO	0944	1200
(21)	RYAN	CCCSO	0944	1200
(22)	FITZGERALD	CCCSO	0944	1200
(23)	BEARD	CCCSO	0944	1410
(24)	HOEKWATER	CCCSO	0944	1410
(25)	WELCH	CCCSO	0944	1200

14. Distribution <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> DA <input type="checkbox"/> DE <input type="checkbox"/> L <input type="checkbox"/> O <input type="checkbox"/> SR <input type="checkbox"/> V <input type="checkbox"/> Investigation <input type="checkbox"/> Vice <input type="checkbox"/> Narcotics <input type="checkbox"/> Juv <input type="checkbox"/> Coroner <input type="checkbox"/> Property Ck. <input type="checkbox"/> ACS <input type="checkbox"/> Intell. <input type="checkbox"/> R.O. <input type="checkbox"/> SHC <input type="checkbox"/> Patrol Captain <input type="checkbox"/> Compl. Ofc. <input type="checkbox"/> Marine Patrol <input type="checkbox"/> DV Unit <input type="checkbox"/> Other	15. Additional Routing	16. Reporting Deputy (Print) PARENTI	17. Date / Time Written 3/18/16	18. Dispo REF
		19. Approving Supv. (Print)	20. Supp. No.	21. Date
				22. Page 1 of 5

☐ Continuation

CONTRA COSTA COUNTY SHERIFF'S DEPARTMENT CA0070000

Beat _____

☐ Supplemental

P.O. Box 391, Martinez, California 94553-0039

☐ D.V. ☐ HRO ☐ Arrest ☐ SI

1. OR No.	2. City Code	3. Crime/Classification	4. Detail 1. 2.	5. Reclassification <input type="checkbox"/>
6. Victim Name (L, F, M)		7. Date Orig. Report	8. Employee No.	
9. Address / Location of Occurrence		10. Suspect's Name (L, F, M)		
11. Property Description: Impounded, Recovered, Found, Lost, Stolen - Item Number, Article, Quantity, Brand/Make/Manufacturer's Model Number, Serial Number, Miscellaneous Description, Location Where Taken, Value, Include Total Loss - LIST IN FOLLOWING ORDER: A) Currency, Notes; B) Jewelry; C) Clothing, Furs; D) Vehicles; E) Office Equipment; F) Radio, TVs, etc.; G) Firearms; H) Household Goods; I) Misc.				
12. Recovered Property \$		13. Narrative / Statements (1)		

Crime Scene Log

(2)	Name	Organization	(Date/Time) IN	(Date/Time) OUT
(4)	HADLEY	CCCSO	0944	1200
(5)	NEBRASSIA	CCCSO	0944	1200
(6)	MORRIS	CCCSO	0944	1410
(7)	RODRIGUEZ	CCCSO	0944	1200
(8)	RHOE	CCCSO	0944	1200
(9)	JOHNSON, M.	CCCSO	0944	1200
(10)	HARKHAM	CCCSO	0944	1200
(11)	CANL	CCCSO	0944	1200
(12)	HATCHER	PIT PD	0944	1200
(13)	RUFF	PIT PD	0944	1200
(14)	LAW	PIT PD	0944	1200
(15)	JORGENSEN	CALFIRE #1666	0944	1045
(16)	MILLER	CALFIRE #1666	0944	1045
(17)	PEARCE	CALFIRE #1666	0944	1045
(18)	KEIFOR	AMR EMS 8	0944	1045
(19)	LEON	AMR MEDIC 50	0944	1515
(20)	GANDRICH	AMR MEDIC 50	0944	1515
(21)	GARDINATTI (ALOT)	CALSTAR 1	1012	1030
(22)	KNUDSON (NURSE)	CALSTAR 1	1012	1030
(23)	ACEBO (NURSE)	CALSTAR 1	1012	1030
(24)	GUTHRIE	CCCSO	0944	
(25)	GIANNINI	CCCSO	0944	

14. Distribution

15. Additional Routing

☐ B ☐ C ☐ DA ☐ DE ☐ L ☐ O ☐ SR ☐ V
☐ Investigation ☐ Vice ☐ Narcotics ☐ Juv ☐ Coroner
☐ Property Ok. ☐ ACS ☐ Intell. ☐ R.O. ☐ SHC
☐ Patrol Captain ☐ Compl. Ofc. ☐ Marine Patrol ☐ DV Unit
☐ Other _____

16. Reporting Deputy (Print)

19. Approving Supv. (Print)

17. Date / Time Written

20. Supv. No.

21. Date

18. Dispo.

22. Page 5
2 of 5

- ☐ Continuation
☐ Supplemental

CONTRA COSTA COUNTY SHERIFF'S DEPARTMENT CA0070000
P.O. Box 391, Martinez, California 94553-0039

Beat _____

☐ D.V. ☐ HRO ☐ Arrest ☐ SI

1. DR No.	2. City Code	3. Crime/Classification	4. Detail 1. 2.	5. Reclassification <input type="checkbox"/>
6. Victim Name (L, F, M)		7. Date Orig. Report	8. Employee No.	
9. Address / Location of Occurrence		10. Suspect's Name (L, F, M)		
11. Property Description: Impounded, Recovered, Found, Lost, Stolen - Item Number, Article, Quantity, Brand/Make/Manufacturer's Model Number, Serial Number, Miscellaneous Description, Location Where Taken, Value, Include Total Loss - LIST IN FOLLOWING ORDER: A) Currency, Notes; B) Jewelry; C) Clothing, Furs; D) Vehicles; E) Office Equipment; F) Radio, TVs, etc.; G) Firearms; H) Household Goods; I) Misc.				
12. Recovered Property \$		13. Narrative / Statements (1)		

Crime Scene Log

(2)	Name	Organization	(Date/Time) IN	(Date/Time) OUT
(4)	SPEDACCI	ECCFD E59	1047	1055
(5)	CARTILLO	ECCFD E59	1047	1055
(6)	SMITH	ECCFD E59	1047	1055
(7)	GROVE	DA	1110	1240
(8)	MORRIS	DA	1110	1159
(9)	ROSS	DA	1110	1159
(10)	MENCHACA	DA	1110	1159
(11)	MCLANGLIN	DA	1110	1159
(12)	ALEXANDER	DA	1110	1159
(13)	WEDENMEYER	DA	1110	1240
(14)	HOLLAND	INV	1120	1203
(15)	ROST	INV	1120	1203
(16)	VALKANOFF	INV	1120	1223
(17)	BROWN	INV	1120	1240
(18)	YOUNG	INV	1120	1223
(19)	BUSCH	INV	1120	1249
(20)	STEELE	INV	1120	1223
(21)	HOFFMAN	CCCSO	1120	1155
(22)	HOBBS	CCCSO	1120	1155
(23)	FRAZIER	INV	1134	1223
(24)	D. HALL	I.A.	1147	1209
(25)	VANDERLIND	I.A.	1147	1209

14. Distribution <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> DA <input type="checkbox"/> DE <input type="checkbox"/> L <input type="checkbox"/> O <input type="checkbox"/> SR <input type="checkbox"/> V <input type="checkbox"/> Investigation <input type="checkbox"/> Vice <input type="checkbox"/> Narcotics <input type="checkbox"/> Juv <input type="checkbox"/> Coroner <input type="checkbox"/> Property Ck. <input type="checkbox"/> ACS <input type="checkbox"/> Intell. <input type="checkbox"/> R.O. <input type="checkbox"/> SHC <input type="checkbox"/> Patrol Captain <input type="checkbox"/> Compl. Ofc. <input type="checkbox"/> Marine Patrol <input type="checkbox"/> DV Unit <input type="checkbox"/> Other _____		15. Additional Routing	
16. Reporting Deputy (Print) <i>MP</i>		17. Date / Time Written	
19. Approving Supv. (Print)		20. Supv. No.	21. Date
		22. Page 2 of 5	

☐ Continuation

CONTRA COSTA COUNTY SHERIFF'S DEPARTMENT CA0070000

Beat _____

☐ Supplemental

P.O. Box 391, Martinez, California 94553-0039

☐ D.V. ☐ HRO ☐ Arrest ☐ SI

1. DR No.	2. City Code	3. Crime/Classification	4. Detail 1. 2.	5. Reclassification <input type="checkbox"/>
6. Victim Name (L, F, M)			7. Date Orig. Report	8. Employee No.
9. Address / Location of Occurrence			10. Suspect's Name (L, F, M)	
11. Property Description: Impounded, Recovered, Found, Lost, Stolen - Item Number, Article, Quantity, Brand/Make/Manufacturer's Model Number, Serial Number, Miscellaneous Description, Location Where Taken, Value, Include Total Loss - LIST IN FOLLOWING ORDER: A) Currency, Notes; B) Jewelry, C) Clothing, Furs; D) Vehicles; E) Office Equipment; F) Radio, TVs, etc.; G) Firearms; H) Household Goods; I) Misc.				
12. Recovered Property \$		13. Narrative / Statements (1)		

Crime Scene Log

(2)	Name	Organization	(Date/Time) IN	(Date/Time) OUT
(4)	BAI	INV	1159	
(5)	CHAN	CRIME LAB	1215	1540
(6)	ROBERTS	CRIME LAB	1236	1543
(7)	JEFFRIES	CRIME LAB	1236	
(8)	ALUYON	CRIME LAB	1236	
(9)				
(10)				
(11)	HALL	ANIMAL CONTROL	0946	1100
(12)	MORALES	ANIMAL CONTROL	0946	1100
(13)	RUBALCAVA-GALLO	ANIMAL CONTROL	0946	1100
(14)				
(15)	PARENTI	CCCSO	1045	1830
(16)				
(17)	CRAIN	CRIME LAB	1330	
(18)	TAFELIA	CRIME LAB	1335	
(19)				
(20)	KEIZER	AMP	1341	1344
(21)				
(22)	HOBBS	CCCSO	1403	1424
(23)	JOEY RIDGWAY	ARROWHEAD TOWNSHIP	1403	1545
(24)	ANDERSON	CORONER	1437	1515
(25)				

14. Distribution

15. Additional Routing

☐ B ☐ C ☐ DA ☐ DE ☐ L ☐ O ☐ SR ☐ V
☐ Investigation ☐ Vice ☐ Narcotics ☐ Juv ☐ Coroner
☐ Property Ck. ☐ ACS ☐ Intel. ☐ R.O. ☐ SHC
☐ Patrol Captain ☐ Compl. Ofc. ☐ Marine Patrol ☐ DV Unit
☐ Other _____

16. Reporting Deputy (Print)

17. Date / Time Written

18. Dispo.

19. Approving Supv. (Print)

20. Supv. No.

21. Date

22. Page

4 of 5

Crime Scene Order of Entry

[illegible]



DR No: 04105

Sup No: 0009

Page 1 of 7

OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

DR No. 160004105	Sup. No. 0009	Assignment HOM	Reported Date Thu 03/17/2016	Reported Time 2206	Status REPORT TO FOLLOW	Confidential? No	Entered By 69568
From Date Thu 03/17/2016	From Time 2206	To Date	To Time	Report Incident Type 1792	Use Of Force NONE		
Location 2700 HOFFMAN LN					City BYR	Zip	
Offense No.	Offense	Offense Description					
Evidence No	Fingerprint No	Body Camera No	Marsy's Law No	Elder Abuse From SOC 341 No	Victim Response - 293 PC No	Missing/Stolen Value	Damaged Value

SYNOPSIS

Refer to narrative.

SUBJECTS

VEHICLES

VESSELS

PROPERTY

MODUS OPERANDI

NARRATIVE

On 3/18/2016, I was assigned to the CCCSO Investigation Division and was tasked with conducting interviews of CCCSO SWAT Team members following an Officer Involved Shooting in Byron, CA (16-4105). I was teamed up with CCCSO Sgt. Dan Wedemeyer who is currently assigned to the Contra Costa District Attorney's Office.

We interviewed CCCSO SWAT Team Members Lt. J. Beltran, Sgt. J. Schultz, Dep. S. Piller, Dep. J. Kirkham and Dep. M. Rodriguez. The interviews were conducted in an upstairs meeting room located at FOB at 1980 Muir Road, Martinez, CA. The interviews were recorded on digital audio recorders. The audio from the interviews was later placed on to CD and booked into Evidence.

Refer to Sgt. Wedemeyer's report for interviews with Beltran, Schultz and Piller.

The following is a summary of the interviews of Dep. Kirkham and Dep. Rodriguez. Refer to audio for complete details.

Dep. J. Kirkham

Prior to the interview, I advised Dep. Kirkham he was not under arrest and was free to leave at any time and that he did not have to answer any questions he was not comfortable with.

Kirkham briefly explained his law enforcement experience. Kirkham has worked in custody at the Martinez Detention Facility, has been assigned to patrol for approximately four years, and has also worked on the J-Team. Kirkham is currently assigned to Muir Station.

Kirkham explained his collateral duties to include being a member of the SWAT Team as well as being a Field Training

Distribution

Additional Routing

Reporting Deputy (Print) SOSA, DANIEL	Date / Time Written 4/26/2016 11:57:54	Disposition Referred
Approving Supervisor (Print) ALLDRITT, BEN	Supervisor No. 71008	Date 4/28/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Officer.

Kirkham explained his law enforcement experience to include Use of Force training in the academy as well as advanced officer training, firearms training in the academy and regular firearms qualifications, SWAT Team firearms qualification and SWAT School. Kirkham indicated that in order to be on the SWAT Team he was required to complete a POST certified training course. Kirkham said he attended and successfully completed the SWAT Course in approximately 2013.

Kirkham said he works from 0600 to 1530 hours Monday through Thursday.

Kirkham described the SWAT uniform and gear he was wearing as follows. Kirkham said he wears a black helmet with a band around it that says "Sheriff," an ear piece connected to his radio, an OD (olive drab) green shirt with patches on the sides that read "Contra Costa County," and a patch on the right sleeve of an American flag, over his shirt a tactical vest that has a "Sheriff" patch on the front in yellow writing, below that his name Deputy J. Kirkham, on his left side a subdued badge, pouches attached to his vest that contain magazines and other items, cargo style pants with several pockets, also in OD green, black boots, a black duty belt with nylon webbing with his holster on his right side, a magazine case, a handcuff case and a flash light. Kirkham said he also carries an M-4 rifle.

Kirkham said he does not wear contact lenses or prescription glasses.

Kirkham said he worked on Thursday March 17th. Kirkham said this was a normal day for him and he worked his normal schedule. He then worked swing shift from 1530 to 2200 hours. Kirkham said there were no stressful events during those shifts and nothing out of the ordinary happened. Kirkham said nothing stressful happened during his recent days off.

Kirkham said he did not take any drugs or consume any alcohol during the time between his shift and the incident.

Kirkham said he had approximately 4.5 to five hours of sleep prior to the incident.

Kirkham said he was made aware of the situation via a call out system from Dispatch. Kirkham received a message indicating there was a call out for the SWAT Team. Kirkham said he received the text message around 3:15am but said he did not realize it until 4am this morning on 3/18/2016.

Kirkham said he was told to report directly to the scene and that there was a barricaded subject. The bearcat was on scene as well as HNT.

Kirkham said he first responded to the FOB (Field Operations Bureau in Martinez) at approximately 0430 hours. Kirkham said he then drove his patrol vehicle to the scene. Kirkham said he then responded to the scene in Byron.

Kirkham said he arrived on scene, got the bearcat situated then relieved the patrol Deputies. Kirkham said he took up a position near the front door.

Kirkham said when he arrived on scene he learned there was a barricaded subject inside the residence, negotiations were on going and the suspect had a weapon.

Distribution

Additional Routing

Reporting Deputy (Print)

SOSA,DANIEL

Date / Time Written

4/26/2016 11:57:54

Disposition

Referred

Approving Supervisor(Print)

ALLDRITT,BEN

Supervisor No.

71008

Date

4/28/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Kirkham said he was positioned on the 1,2 corner of the house. The 1 side is designated as the front of the residence with the 3 side being the back side, with the remaining side being the 4 side.

Kirkham said Sgt. Schultz, Dep. Plier, Dep. Rodriguez and Sgt. Kohlmaier were near his location.

Kirkham said he and his teammates were positioned in a place where they could look down a hallway into a bedroom where the suspect was barricaded. Kirkham said he and his teammates took turns covering that door approximately every fifteen minutes.

Kirkham said he could hear announcements to the suspect even though he was on the opposite side of the house where the announcements were being made.

Kirkham said he heard announcements saying "Michael we want this to end peacefully" or something similar and "Please step outside. Please put the weapon down. Please step outside with your hands in the air." Kirkham added these things were repeated several times. Kirkham said these announcements were made over a loud speaker. Kirkham believed the announcements were made by the Hostage Negotiations Team.

Kirkham said while waiting in position he would receive updates over the radio about whether there was communication with the barricaded subject. Kirkham said he and his teammates would periodically take cover in the garage.

Kirkham learned during this time that Deputies were attempting to serve a warrant against the barricaded suspect.

Kirkham said at that time there were other SWAT Deputies that had to be relieved. Kirkham said he then took Dep. Durrer's spot on the 3 side of the residence and was next to Dep. Rhoe. Kirkham said the two of them then covered the French door that had access to the master bedroom where the suspect was located.

Kirkham said Dep. Rodriguez then deployed ferret rounds to get the suspect to speak with them. Kirkham said he saw Dep. Rodriguez deploy two ferret rounds on his side. Kirkham said the plan was for Rodriguez to deploy one round down the hallway. Dep. Rodriguez deployed one round through the French door, went back and delivered another down the hallway.

Kirkham said due to negotiations breaking down a flashbang device was deployed (when Kirkham was on the 1,2 side) near the French doors. Kirkham said the suspect began communicating with them again.

Kirkham said once communications broke down again there was a plan to deploy more flash bangs at which time two other flash bangs were deployed. Kirkham said they again were in communication with the suspect. Kirkham corrected himself and said he was not sure if the communications were successful at that time. Kirkham said after some time, the decision was made to put in ferret rounds.

Kirkham said after the deployment of the ferret rounds there were commands made for the suspect to exit. Kirkham believed the suspect was going to exit through the French doors. Kirkham said he and Dep. Rhoe were posted along the garage door facing the French doors.

Distribution

Additional Routing

Reporting Deputy (Print)

SOSA,DANIEL

Date / Time Written

4/26/2016 11:57:54

Disposition

Referred

Approving Supervisor(Print)

ALLDRITT,BEN

Supervisor No.

71008

Date

4/28/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Kirkham said he then heard the other team on the 4 side saying they see the subject.

Kirkham believed it was a few minutes from the time the ferret rounds were deployed to the time he heard his teammates say they saw the subject.

Kirkham said as he heard his teammates say they saw the subject he was focusing on the glass doors. Kirkham said he started hearing popping sounds which he believed were gunshots. Kirkham did not know where the gunshots were taking place. Kirkham said he and Deputy Rhoe looked at each other thinking the other was shooting.

Kirkham said he then heard over the radio that shots had been fired. He then saw other Deputies move toward the 4 side and out of his view. Kirkham was not sure how many gunshots were fired.

Kirkham did not see which Deputies moved toward the house. Kirkham said there was a vehicle and Deputies posted on the 3, 4 side.

Kirkham said he held his position then heard that the subject had been detained and was being rendered first aid.

Kirkham said once the suspect was moved out of the way he cleared the residence to make sure there was no one else inside. Kirkham said they did not find anyone else inside, only three dogs. Kirkham did not see any other firearms inside the residence at that time.

Kirkham said the Deputies who cleared the residence with him included Dep. Rhoe, Sgt. Schultz, Dep. Pliler and other Deputies behind him.

Kirkham did not see the subject after the subject had been shot. Kirkham did not see the subject at any time.

I asked Kirkham if he remembered the name of the suspect. Kirkham just remembered hearing the name Michael. Kirkham said he has never had prior contact with the suspect.

Sgt. Wedemeyer then proceeded to ask Dep. Kirkham questions.

Kirkham said the announcements were on going and were periodic. Kirkham said if the suspect was talking on the phone, announcements were not being made and if he was not in communication then announcements were being made.

Kirkham said he heard some of the announcements saying, "Michael, we want this to end peacefully." "Please come out the glass doors with your hands up." "Please put the firearm down." Kirkham said these announcements were made multiple times.

Kirkham said the plan for Dep. Rodriguez was to deploy a ferret round down the hallway, to the 3 side, down the hallway then to the 3 side for a total of four rounds.

Kirkham said during the first deployment he was not wearing a gas mask and could smell the gas. Kirkham said he then deployed his gas mask.

Distribution

Additional Routing

Reporting Deputy (Print)

SOSA, DANIEL

Date / Time Written

4/26/2016 11:57:54

Disposition

Referred

Approving Supervisor(Print)

ALLDRITT, BEN

Supervisor No.

71008

Date

4/28/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Kirkham was not sure who deployed the flash bangs.

Kirkham said Sgt. Kohlmaier was also on scene but was one of the Deputies who had to be relieved. Kirkham said Dep. Durrer was there as well.

Kirkham said he never had any previous experience with the subject or the residence.

Deputy M. Rodriguez

Prior to the interview I advised Dep. Rodriguez he was not under arrest and was free to leave at any time, and that he did not have to answer any questions he was not comfortable with.

Rodriguez graduated from the Contra Costa County Sheriff's Office Law Enforcement Training Academy in 2008. He was then assigned at the Martinez Detention Facility where he had other collateral assignments such as Mobile Field Force, Facility Training Officer, Defensive Tactics Instructor, Chemical Agents Instructor, Taser Instructor and member of the SERT Team.

Rodriguez said he has been on the CCCSO SWAT Team for approximately three years. Rodriguez explained the SWAT Assessment in further detail. Rodriguez said he successfully completed the Basic SWAT Course. Rodriguez said he received training at SWAT School to include movement, cover and concealment, building searches, live fire house training, breaching, tools, distraction devices, shooting drills.

Rodriguez said as a member of the SWAT Team he is assigned to the Entry Team. He said he is also a grenadier who is responsible for chemical agents. Rodriguez said he successfully completed a training course for this collateral duty and regularly receives training in this.

Rodriguez is assigned to the City of Oakley Police Department and works Friday, Saturday and Sunday from 5:30am to 6:50pm.

Rodriguez described in detail his SWAT uniform and gear he was wearing. Rodriguez said he wears a black ballistic helmet, an ear piece, a ballistic vest, a radio microphone, a Sheriff's patch on the front and the back of his vest, Sheriff's shoulder patches attached to the ballistic vest, a Sheriff's star on the right side of his ballistic vest, a utility pouch where he carries medical gear, magazine carrier with two extra rifle magazines, a radio holder, a flashbang pouch, gas mask carrier, a duty belt with pistol magazines, a small flashlight, a Taser, OC (pepper spray), handcuff case and pistol holster. Rodriguez described his SWAT uniform as olive drab green with the Sheriff's Office patch on the right and left sleeves, olive drab utility pants, black under belt and black boots.

Rodriguez said he does not wear any type of body camera while operating as a SWAT Team member, no one has taken a photo of him from this incident and he did not operate any vehicles during this incident. Rodriguez said he does not wear prescription glasses or contacts.

Rodriguez said his last duty days prior to this incident were spent teaching defensive tactics at the Academy on Monday and Tuesday. Rodriguez said nothing stressful happened during training. Rodriguez said on his last duty day on Sunday, nothing stressful occurred.

Distribution

Additional Routing

Reporting Deputy (Print)

SOSA, DANIEL

Date / Time Written

4/26/2016 11:57:54

Disposition

Referred

Approving Supervisor(Print)

ALLDRITT, BEN

Supervisor No.

71008

Date

4/28/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Rodriguez said nothing out of the ordinary or stressful occurred on his last days off before the incident.

Rodriguez said he did not take any drugs or alcohol prior to this incident.

Rodriguez said he had approximately four hours of sleep prior to the incident and nothing stressful happened the day leading up to the call out.

Rodriguez said he was informed of this incident when he received a missed call and a text message notifying him of a SWAT callout. He also had a text message from one of his partners from work stating that there was a callout. He said he received these messages all around on 3/18/2016 at 3:15am.

Rodriguez said he was notified that tactical members were to respond to the Field Operations Bureau and that it was in response to a barricaded subject at 2700 Hoffman Lane. Rodriguez said he drove to FOB and arrived shortly after 4am. Rodriguez arrived on scene at approximately 0430 hours.

Rodriguez said he received a briefing that the subject was barricaded and armed with a firearm.

Rodriguez said he deployed to the #1 side or front side of the suspect residence, to the left of the front door, near the open garage door. He then moved to the #3 side later, near the rear door.

Rodriguez said Sgts. Kohlmaier and Schultz, and Deputies Kirkham and Piller were at the #1 side with him. He stood in the garage and took turns watching the hallway of the residence.

Rodriguez heard several announcements at the time by HNT saying "put down the gun" and "exit the residence." HNT advised when they were speaking on the telephone with the subject. Rodriguez received updates that the subject was saying he did not want to go back to jail.

Rodriguez said HNT lost contact with the subject. He was then asked to deploy a distraction device to the #3 side in an attempt to get the subject back on the line. Rodriguez deployed the distraction device near the rear door. Sgt. Kohlmaier, Deputy Durrer and Deputy Rhoe were with him. Rodriguez said shortly after the subject got back on the phone.

Rodriguez said after a while HNT lost contact with the subject again. Someone else deployed a distraction device on the #4 side but he was not sure who.

HNT spoke again with the subject. The subject continued to ask to speak with his brother.

Rodriguez was then asked to deploy chemical agents by Sgt. Schultz. Rodriguez explained the chemical agents were used to gain compliance of the subject.

Rodriguez deployed one round down the hallway, then went to the #3 side and deployed one round through the French doors, back to the #1 side for an additional deployment, then back again to the #3 side through the French doors.

Rodriguez said he heard voices toward the back of the house then later heard gunshots (unknown how many).

Distribution

Additional Routing

Reporting Deputy (Print)

SOSA, DANIEL

Date / Time Written

4/26/2016 11:57:54

Disposition

Referred

Approving Supervisor(Print)

ALLDRITT, BEN

Supervisor No.

71008

Date

4/28/2016



DR No: 104105

Sup No: 0009

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Rodriguez said it was minutes between the time he deployed the last round and when he heard gunshots.

Rodriguez did not see anyone shooting as he was in the garage.

After the gunshots, Rodriguez heard SWAT members on the #4 side saying they had a suspect down and were requesting medical aid.

Rodriguez said he stood by with Deputies Rhoe and Kirkham for further instructions.

Rodriguez moved back to the #1 side and cleared the residence along with Sgts. Schultz and Ingrassia, and Deputies Kirkham and Pliler. He did not recall who else was with him. He did not see any people or weapons inside the residence.

Rodriguez said he did not see the subject during or after the incident.

Distribution

Additional Routing

Reporting Deputy (Print)

SOSA, DANIEL

Date / Time Written

4/26/2016 11:57:54

Disposition

Referred

Approving Supervisor(Print)

ALLDRITT, BEN

Supervisor No.

71008

Date

4/28/2016



DR No: 34105

Sup No: 0010

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat:

DV: No

ARREST: No

DR No. 160004105	Sup. No. 0010	Assignment HOM	Reported Date Thu 03/17/2016	Reported Time 2206	Status REPORT TO FOLLOW	Confidential? No	Entered By 70779			
From Date Thu 03/17/2016	From Time 2206	To Date	To Time	Report Incident Type 245(D)(1)	Use Of Force NONE					
Location 2700 HOFFMAN LN					City BYR	Zip				
Offense No.	Offense	Offense Description								
Evidence No	Fingerprint No	Body Camera No	Marsy's Law No	Elder Abuse From SOC 341 No	Victim Response - 293 PC No	Missing/Stolen Value	Damaged Value			
SYNOPSIS										
See Narrative										
SUBJECTS										
Other	Invl. No 1	Type Individual	Name NELSON,T.							
	Race	Gender	DOB	AGE	To Age	Height	To Height	Weight	To Weight	Juvenile? No
	Hair Color	Eye Color	Skin	General Appearance		Build		Clothing Discription		
	Hair Description	Facial Features		Speech		Demeanor		Deformity		
	Further Description 76824									
	Address Type	Location				City		State	Zip	
	ID Type	ID No.		Operator License State						
	Offense Link	Offense		Phone Type		Phone Number				
	Email Type	Email								
	Mark Type	Mark Code		Mark Description						
	Employer / School CCCSO			Position / Grade Deputy			Empl. From Date		Empl. To Date	
	Empl. Location 651 Pine Street			Empl. City Martinez			Empl. State CA		Empl. Zip 94553	
	Empl. Contact			Empl. Phone Type Business			Empl. Phone 9253351500			
	Distribution									
	Additional Routing									
Reporting Deputy (Print) ANDAYA,MARC				Date / Time Written 5/10/2016 15:47:08		Disposition Closed other				
Approving Supervisor(Print) ANDAYA,MARC				Supervisor No. 70779		Date 5/10/2016				



DR No: 1(4105

Sup No: 0010

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat:

DV: No

ARREST: No

Other	Invl. No 1	Type Individual	Name FITZGERALD,B.									
	Race	Gender	DOB	AGE	To Age	Height	To Height	Weight	To Weight	Juvenile? No		
	Hair Color	Eye Color	Skin	General Appearance		Build	Clothing Discription					
	Hair Description	Facial Features			Speech		Demeanor			Deformity		
	Further Description 70621											
	Address Type	Location					City		State	Zip		
	ID Type	ID No.			Operator License State							
	Offense Link	Offense			Phone Type		Phone Number					
	Email Type	Email										
	Mark Type	Mark Code		Mark Description								
	Employer / School CCCSO					Position / Grade Deputy			Empl. From Date		Empl. To Date	
	Empl. Location 651 Pine Street					Empl. City Martinez			Empl. State CA	Empl. Zip 94553		
	Empl. Contact							Empl. Phone Type Business		Empl. Phone 9253351500		
	Other	Invl. No 1	Type Individual	Name RYAN,D.								
Race		Gender	DOB	AGE	To Age	Height	To Height	Weight	To Weight	Juvenile? No		
Hair Color		Eye Color	Skin	General Appearance		Build	Clothing Discription					
Hair Description		Facial Features			Speech		Demeanor			Deformity		
Further Description 70614												
Address Type		Location					City		State	Zip		
ID Type		ID No.			Operator License State							
Offense Link		Offense			Phone Type		Phone Number					
Email Type		Email										
Mark Type		Mark Code		Mark Description								
Employer / School CCCSO					Position / Grade Deputy			Empl. From Date		Empl. To Date		
Empl. Location 651 Pine Street					Empl. City Martinez			Empl. State CA	Empl. Zip 94553			
Empl. Contact							Empl. Phone Type Business		Empl. Phone 9253351500			
Distribution												
Additional Routing												
Reporting Deputy (Print) ANDAYA,MARC					Date / Time Written 5/10/2016 15:47:08			Disposition Closed other				
Approving Supervisor(Print) ANDAYA,MARC					Supervisor No. 70779			Date 5/10/2016				



DR No: 04105

Sup No: 0010

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY
CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat:

DV: No

ARREST: No

Other	Invl. No 1	Type Individual	Name RHOE,K.									
	Race		Gender	DOB	AGE	To Age	Height	To Height	Weight	To Weight	Juvenile? No	
	Hair Color		Eye Color	Skin	General Appearance		Build		Clothing Discription			
	Hair Description		Facial Features			Speech		Demeanor		Deformity		
	Further Description 73504											
	Address Type		Location					City		State	Zip	
	ID Type		ID No.			Operator License State						
	Offense Link		Offense			Phone Type		Phone Number				
	Email Type		Email									
	Mark Type		Mark Code			Mark Description						
	Employer / School CCCSO					Position / Grade Deputy			Empl. From Date		Empl. To Date	
	Empl. Location 651 Pine Street					Empl. City Martinez			Empl. State CA		Empl. Zip 94553	
	Empl. Contact					Empl. Phone Type Business			Empl. Phone 9253351500			
	Other	Invl. No 1	Type Individual	Name HADLEY,D.								
Race		Gender	DOB	AGE	To Age	Height	To Height	Weight	To Weight	Juvenile? No		
Hair Color		Eye Color	Skin	General Appearance		Build		Clothing Discription				
Hair Description		Facial Features			Speech		Demeanor		Deformity			
Further Description 66375												
Address Type		Location					City		State	Zip		
ID Type		ID No.			Operator License State							
Offense Link		Offense			Phone Type		Phone Number					
Email Type		Email										
Mark Type		Mark Code			Mark Description							
Employer / School CCCSO					Position / Grade Deputy			Empl. From Date		Empl. To Date		
Empl. Location 651 Pine Street					Empl. City Martinez			Empl. State CA		Empl. Zip 94553		
Empl. Contact					Empl. Phone Type			Empl. Phone				
Distribution												
Additional Routing												
Reporting Deputy (Print) ANDAYA,MARC					Date / Time Written 5/10/2016 15:47:08			Disposition Closed other				
Approving Supervisor(Print) ANDAYA,MARC					Supervisor No. 70779			Date 5/10/2016				



DR No: 1 14105

Sup No: 0010

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat:

DV: No

ARREST: No

Other	Invl. No	1		Type	Individual		Name														
	Race		Gender		DOB		AGE		To Age		Height		To Height		Weight		To Weight		Juvenile?		
																			No		
	Hair Color		Eye Color		Skin		General Appearance				Build				Clothing Discription						
	Hair Description		Facial Features				Speech				Demeanor				Deformity						
	Further Description																				
	70628																				
	Address Type		Location										City				State		Zip		
	ID Type		ID No.				Operator License State														
	Offense Link		Offense				Phone Type				Phone Number										
	Email Type		Email																		
	Mark Type		Mark Code				Mark Description														
	Employer / School										Position / Grade				Empl. From Date		Empl. To Date				
	CCCSO										Deputy										
Empl. Location										Empl. City				Empl. State		Empl. Zip					
651 Pine Street										Martinez				CA		94553					
Empl. Contact										Empl. Phone Type				Empl. Phone							
										Business				(925) 335-1500							
Other	Invl. No	1		Type	Individual		Name														
	Race		Gender		DOB		AGE		To Age		Height		To Height		Weight		To Weight		Juvenile?		
																			No		
	Hair Color		Eye Color		Skin		General Appearance				Build				Clothing Discription						
	Hair Description		Facial Features				Speech				Demeanor				Deformity						
	Further Description																				
	Address Type		Location										City				State		Zip		
	ID Type		ID No.				Operator License State														
	Offense Link		Offense				Phone Type				Phone Number										
	Email Type		Email																		
	Mark Type		Mark Code				Mark Description														
	Employer / School										Position / Grade				Empl. From Date		Empl. To Date				
	CCCSO										Sergeant										
Empl. Location										Empl. City				Empl. State		Empl. Zip					
651 Pine Street										Martinez				CA		94553					
Empl. Contact										Empl. Phone Type				Empl. Phone							
										Business				(925) 335-1500							
Distribution																					
Additional Routing																					
Reporting Deputy (Print)										Date / Time Written				Disposition							
ANDAYA, MARC										5/10/2016 15:47:08				Closed other							
Approving Supervisor(Print)										Supervisor No.				Date							
ANDAYA, MARC										70779				5/10/2016							



DR No: 1 4105

Sup No: 0010

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat:

DV: No

ARREST: No

Other	Invl. No 1	Type Individual	Name KOHLMAIER, M.									
	Race	Gender	DOB	AGE	To Age	Height	To Height	Weight	To Weight	Juvenile? No		
	Hair Color	Eye Color	Skin	General Appearance		Build	Clothing Description					
	Hair Description	Facial Features			Speech	Demeanor			Deformity			
	Further Description											
	Address Type	Location					City	State	Zip			
	ID Type	ID No.	Operator License State									
	Offense Link	Offense			Phone Type	Phone Number						
	Email Type	Email										
	Mark Type	Mark Code		Mark Description								
	Employer / School CCCSO					Position / Grade Sergeant			Empl. From Date	Empl. To Date		
	Empl. Location 651 Pine Street					Empl. City Martinez			Empl. State CA	Empl. Zip 94553		
	Empl. Contact					Empl. Phone Type Business			Empl. Phone (925) 335-1500			
	Other	Invl. No 1	Type Individual	Name ROSS, A.								
Race		Gender	DOB	AGE	To Age	Height	To Height	Weight	To Weight	Juvenile? No		
Hair Color		Eye Color	Skin	General Appearance		Build	Clothing Description					
Hair Description		Facial Features			Speech	Demeanor			Deformity			
Further Description												
Address Type		Location					City	State	Zip			
ID Type		ID No.	Operator License State									
Offense Link		Offense			Phone Type	Phone Number						
Email Type		Email										
Mark Type		Mark Code		Mark Description								
Employer / School CCCSO					Position / Grade Inspector			Empl. From Date	Empl. To Date			
Empl. Location 900 Ward Street					Empl. City Martinez			Empl. State CA	Empl. Zip 94553			
Empl. Contact					Empl. Phone Type Business			Empl. Phone 9259572200				
VEHICLES												
VESSELS												
Distribution												
Additional Routing												
Reporting Deputy (Print) ANDAYA, MARC					Date / Time Written 5/10/2016 15:47:08			Disposition Closed other				
Approving Supervisor (Print) ANDAYA, MARC					Supervisor No. 70779			Date 5/10/2016				



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat:

DV: No

ARREST: No

PROPERTY

MODUS OPERANDI

NARRATIVE

On 03/18/2014, in my capacity as a Contra Costa County Sheriff's Office (CCCSO) Investigations Sergeant, I was assigned to assist in an Officer Involved Shooting investigation, which occurred on the same date at 2700 Hoffman Lane, Byron. I was partnered with Contra Costa County District Attorney Inspector Aaron Ross. We interviewed "non-shooting" (CCCSO) Special Weapons and Tactics (SWAT) officers from this incident. We interviewed Deputies Fitzgerald, Ryan, Rhoe, Nelson, Hadley, Neller and Sergeants Ingrassia and Kohlmaier. I was responsible for summarizing the statements of the following personnel: Fitzgerald, Ryan, Rhoe and Nelson. All times are approximate unless otherwise stated. All interviews were taped and submitted to the lead investigator. All statements are summarized; refer to the recordings for the exact verbiage, sequence and context.

Deputy Tyler Nelson, 76824

03/18/2016; 1420 hours

Deputy Nelson has been in law enforcement for seven years and currently works at Danville PD. He started with Fremont PD and had worked there for two and a half years before joining the CCCSO. He attended a CA Basic Peace Officers Standards and Training (POST) academy. While with the CCCSO, he has worked in Detention and Patrol Divisions. He is currently a canine officer (with canine Ronnie) and is a SWAT team member. His current work schedule is green shift (Friday, Saturday, Sunday night, 2200-0630 hours). Prior to the events chronicled in this report, he worked last Sunday (03/13/2016) and got off Monday morning.

During this event, Nelson was attired in an authorized blue battle dress uniform (BDU) uniform, which has Danville police patches on both shoulders, a Danville PD badge over left breast and his name tag. During this event, he was armed with his department issued Sig Sauer 226, .40 cal. He does not wear glasses but wears contacts.

On 03/18/2016, at 0300 hours, he received text notification of a SWAT call out. The message gave details and describes the incident regarding a barricaded suspect in Byron and ordered him to report to the Field Operations Bureau (FOB). He arrived at the FOB at 0400 hours. He then drove to the command post (CP) in Byron in his assigned K-9 vehicle; canine "Ronnie" was not with him.

He arrived at CP. The snipers were deployed and then the operators were briefed and deployed. Deputy Nelson was part of a group of SWAT team members who have not yet been to SWAT school who were not deployed, but assisted in support functions. Nelson and Deputy Giannini acted as a perimeter/quick reaction team, positioned at the very end of the premise driveway, with a view of the (1) / (4) side corner. He remained on the perimeter until 0930 hours, when he heard 5 to 8 gunshots.

Nelson was not involved in any use of force, nor did he deploy any tactical devices. Nelson didn't see any shooting and couldn't hear voices. He heard four gas canisters being deployed during the event.

Deputy Brian Fitzgerald, 70621

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Additional Routing

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ANDAYA, MARC

Date / Time Written

5/10/2016 15:47:08

Disposition

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ANDAYA, MARC

Supervisor No.

70779

Date

5/10/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

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P.O. BOX 391, Martinez, California 94553-0039

Beat:

DV: No

ARREST: No

03/18/2016; 1505 hours

Deputy Fitzgerald told me the following. He received his CA POST certification from the CCCSO Basic Police Academy has been a deputy with the CCCSO for 9 ½ yrs. He has worked in Custody and Patrol Divisions. While in Patrol, he has been assigned to the CCCSO J-Team (specialized patrol duties). He has been on the SWAT team for four years and is a designated marksman (sniper). He currently works Patrol Division, assigned to red shift, which is Monday through Thursday, 2130 to 0700 hours.

On 03/18/2016, he worked as 1Z20. He became aware of the incident in question while he was dispatched on another call. He spoke with SGT Ian Gibson about this incident and the likelihood of a SWAT call-out. He returned to FOB and started getting SWAT vehicles ready and staged. He was assigned to this incident between at 0100 to 0200 hours. He was listening to channel three (Delta / Muir Bay Point / Oakley stations) and heard 1 Ocean 10, SWAT commander LT Beltran state there would be a full SWAT call out. He then put on uniform and drove out to scene. He was wearing a department authorized multi-cam BDU pant, paired with a BDU blouse top. There were patches on his sleeves with subdued Sheriff's Office patches and an American flag on his right shoulder. He does not wear glasses or contacts. He was armed with his department issued pistol, and department issued sniper and tactical rifle

He drove to the Command Post (CP), which was staged at Byron Highway, close to intersection of Hoffman Road, between 0230-0300 hrs. At the CP, he spoke with LT Beltran and waited for others before being briefed. During the briefing, it was stated that the subject inside the residence had an arrest warrant for violation of CA Penal Code 288 - child molestation. The warrant was addressed to the location of this incident. He was given an overhead view/layout of the premise, then officers were deployed to their assigned positions. He was assigned to the (1)/(2) corner of the premise, which is located to the left of the garage (if facing the front of the premise). He walked in from the road leading down to the premise at approximately 0300 hours. He made observations, measured the distance from house, and communicated with dispatch regarding the layout of doors and windows. To his knowledge at this time, hostage negotiations were on-going with the suspect. He remembered hearing over the radio that the suspect was armed with a gun, in the bathroom, and that he, the suspect, didn't want to come out and that he wanted to speak with his brother.

At one point, Command made the decision to deploy distraction devices ("flash/bangs"), in order to stimulate the subject to restart negotiations when he was not communicating with Hostage Negotiations Team (HNT). There was initially one flash/bang. Thereafter, negotiations were re-established. At a later time, two additional flash/bangs were deployed. Deputy Fitzgerald did not deploy any of the flash/bangs.

Negotiations started and stopped again. The decision was later made to deploy a chemical agent/gas rounds. Fitzgerald did not deploy these items. He thinks there were four containers deployed, total. There was a pause of two minutes upon deployment, followed by yelling from the opposite side of the residence,

located on the (4) side of the premise (front right corner). He heard someone yelling "hands, hands, hands!" then heard gun shots. There were multiple voices yelling; he is unsure if they were all yelling "hands". He heard what he estimated as 5 to 8 gunshots. He then heard SGT Ingrassia on the radio, stating that there were shots fired, suspect down and the request for medical assistance (AMR). Fitzgerald stayed in his position. He believed the team would clear the rest of the house. Once AMR arrived and rendered first aid,

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Supervisor No.

70779

Date

5/10/2016



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Beat:

DV: No

ARREST: No

SWAT team performed a protective sweep of the premise. Fitzgerald stayed in his position while the house was cleared. He heard the house was clear and that Animal Control was needed for loose dogs. He was advised by Command to stay in his position. Deputy D. Ryan was with Fitzgerald through the entire incident.

CCCSO Crime Scene Investigators (CSI) came on scene and photographed him, his position and his rifles in situ. They inspected his tactical rifle and (sniper) bolt gun, counted the rounds, and released him from the scene. He did not use his firearms, deploy gas, or any other diversion devices. He used no force during this incident.

Deputy Donald Ryan, 70614

03/18/2016; 1603 hours

Deputy Ryan told me the following. He has 10-years' experience as peace officer. He attended the CCCSO Basic Police Academy. He is currently assigned at Muir Station working swing/graveyard weekdays, in Martinez and Bay Point (2130-0700 hours). He is a member of SWAT with assignments including both "entry" and "sniper". He has attended POST basic schools for SWAT and sniper. He does not wear glasses or contacts.

Although his shift begins at 2130 hours, he did not begin working until 2230 hours on 03/17/2016, as he had SWAT training during the day. He learned of the incident upon arrival at work. He read on the MDC (patrol vehicle computer) that there was a "Code 6", investigation/surveillance, on "something". He did not discover what the Code 6 was for until later. While going to Bay Point, listening to the patrol vehicle radio, he heard a transmission stating that a male subject had left the rear of a premise and then turned around and went back into the premise. He also heard that the suspect had a gun.

Ryan was deployed as a sniper to the incident at around 0230-0300 hours. Once he received the call-out (call/text), he left his trainee (CCCSO Deputy Brooks) and donned his tactical gear (department authorized SWAT attire, to include a multi cam uniform). He was armed with his department issued Sig Sauer 229, .40 cal, his M4 tactical rifle and Remington 700 bolt rifle. He reported to the CP set up on Byron Highway and Hoffman at around 0400 hrs.

There was a tactical briefing for snipers which occurred 20-30 minutes after 0400 hours. Officers were told that a team went to contact a subject with a warrant. There were two teams, one located to the front and one to the rear of the premise. Upon arrival, a female subject ran through the premise. Later, a male subject, while leaving a rear door, made contact with someone. The suspect was said to have had a gun when he was seen, before he ran back into the premise.

During the briefing, snipers received their assignments. They were given the address and layout of the location. Ryan was tasked to go with Fitzgerald and deploy at the (1)/(2) corner of the structure in question at approximately 0430 hrs. Deputy Ryan described the (1) side of the house as the side having nothing but windows and that the front door of the premise was on the (2) side.

Deputy Ryan states that the deployment of flash/bangs were the next significant event. It was daylight by this time. Officers deployed the first device and were going to deploy a second device, but negotiations were re-established. Deputy Ryan believes that two flash/bangs were deployed. The next significant event

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Reporting Deputy (Print) ANDAYA,MARC	Date / Time Written 5/10/2016 15:47:08	Disposition Closed other
Approving Supervisor(Print) ANDAYA,MARC	Supervisor No. 70779	Date 5/10/2016



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DV: No

ARREST: No

was shooting gas rounds into the residence; this occurred approximately an hour later. Deputy Ryan did not deploy either device.

A short time later, the suspect notified HNT that he wanted to speak with his brother, wanted to know why no one was coming in, that he wasn't putting the gun down, that it wasn't going to end well, and wanted to know why "we", deputies, were scared. These details were disseminated to deployed units by HNT via Dispatch. Deputy Ryan next heard yelling on the (4) side of the residence, then gun shots. The person(s) yelling said "let me see your hands". Ryan heard the word "hands" several times, then heard several gunshots after five or ten seconds. He is unsure of the number of shots fired, but thinks he heard 4 to 6 shots.

After the gunshots, he heard radio traffic to include a request for "medical, code 3", and the terms "CPR", "shots fired", "subject down" and being "detained". During this time, Deputies Ryan and Fitzgerald kept their position, where they subsequently remained for approximately two more hours. Deputy Ryan did nothing of note from the time he heard the last gunshots until he was properly relieved. During the course of this event, Deputy Ryan did not use of force, did not use his firearms, did not deploy any tactical device. During the course of this event, he could not see the (4) side of the premise, nor did he see the suspect until the suspect was being placed in an ambulance. Deputy Ryan only heard the final confrontation, he could not see it from his position.

Deputy Katie Rhoe, 73504

03/18/2016; 1700 hours

Deputy Rhoe was hired by the CCCSO in 2008 as a dispatcher. She has been a sworn peace officer since 2011. She has worked in Custody and Patrol, where she is currently assigned. She is currently a Bay Point resident deputy. She is a SWAT team member (for which she attended the POST Basic SWAT School), a Defensive Tactics Instructor, Taser Instructor and is certified to teach as a POST Instructor.

Deputy Rhoe wears prescription glasses and wore them during this incident. Her work schedule is Monday through Thursday, swing shift (from 1200 -2200 hours or 1400-2400 hours, depending on Departmental needs). On Thursday, 03/17/2016, she worked from 1200-2330 hours.

Deputy Rhoe was contacted on Friday, 03/18/2016, at 0315 hours, via text, voice mail and email, and ordered to respond to the FOB, get her "gear" (tactical equipment), and respond to the scene of this event. She arrived at the FOB at approximately 0400 - 0415 hours. She was attired in her department authorized SWAT uniform consisting of a helmet, a "OD" green uniform and a tactical vest with official markings. She was armed with department issued "AR" tactical rifle and Sig Sauer 229, .40 cal pistol. She used marked CCCSO patrol vehicle #2427 for this event. She reported to the CP, located in Byron, near the middle school. She was briefed that the Bear Cat Tactical Vehicle was stuck in the mud and needed to be recovered. Following that effort, she returned to the CP. She was given the task of relieving patrol deputies on the (1) and (3) sides of the premise by team leaders Sergeants Shultz and Kohlmaier. The (1) side is the front of the premise and (3) side is the back. The garage was attached to the premise. She was on the (3) side with Deputy Robert Durrer until Durrer reached his maximum duty time and had to be relieved. He was relieved by Deputy Kirkham. She was positioned on the (3) side, behind a portable tactical shield, near air conditioning units located 20 - 25 feet behind the back sliding double doors. From her position, she could

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Additional Routing

Reporting Deputy (Print)

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5/10/2016 15:47:08

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Supervisor No.

70779

Date

5/10/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

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Beat:

DV: No

ARREST: No

see in both of the double doors at the rear of the premise.

At the initial briefing, she was advised that deputies had went to the house to serve a warrant. The deputies knew that the suspect had a firearm while serving the warrant and he was seen trying to the premise with the firearm in his hand. The suspect re-entered the premise and barricaded himself.

At approximately 0700 or 0800 hours, LT Beltran ordered Deputy Rodriguez to deploy a flash/bang at the rear of the premise. Rodriguez was located on the (1) and (3) side because he was responsible for deploying gas. After the first flash/bang was deployed, Deputy Rhoe observed bright light and heard a loud sound (the expected effect of a flash/bang). After approximately 30 minutes, the (4) side deployed two flash/bangs.

To her knowledge, HNT was unable to contact the suspect. Officers received orders from Command to deploy gas. Deputy Rodriguez deployed one gas round on the (1) side of the premise, then, while using Deputy Kirkham and herself as cover, deployed second gas round on the (3) side of the premise. Deputy Rodriguez then returned to the (1) side of the premise and deployed a third gas round, and then returned to the (3) side to deploy a fourth gas round. She believes that he deployed a total of four rounds during this period. The first gas round was placed in the right top of the double door; the second round was 6 inches below the first. The back double doors are the back doors to the master bedroom. The suspect was not in the room when the gas rounds were being deployed.

Next, Deputy Rhoe here's someone yelling, "He's coming out!". She approached the gate with Kirkham because that was where the suspect came out the first time. Next, she heard gunshots. She did not see the suspect. She heard 4 to 5 shots. She heard someone saying "suspect down" and keep cover. She and Kirkham remained in their positions until the suspect was removed from the scene. Once the suspect was removed, she took place in a protective sweep of the premise and assisted animal control with removing dogs from the premise.

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ARREST: No

DR No. 160004105	Sup. No 0004	Assignment GIT	Reported Date Mon 03/21/2016	Reported Time 1300	Status REPORT TO FOLLOW	Confidential? No	Entered By 70634
From Date Thu 03/17/2016	From Time 2206	To Date	To Time	Report Incident Type 245(D)(1)	Use Of Force NONE		
Location 2700 HOFFMAN LN				City BYR	Zip		
Offense No.	Offense	Offense Description					
Evidence Yes	Fingerprint No	Body Camera No	Marsy's Law No	Elder Abuse From SOC 341 No	Victim Response - 293 PC No	Missing/Stolen Value	Damaged Value

SYNOPSIS

This is an investigative supplement, which includes statements from Lieutenant Shields, Sergeant Klawhun and Deputy Oakley. I also downloaded six digital photos from Sergeant Muse's cell phone, which I copied to a DVD. I also made a copy of the HNT log, provided by Sergeant Klawhun. I provided both discs to Detective Busch.

SUBJECTS**VEHICLES****VESSELS****PROPERTY****MODUS OPERANDI****NARRATIVE**

This is an investigative supplement, containing statements from Lieutenant Shields, Sergeant Klawhun, and Deputy Oakley.

All interviews were conducted by myself and Inspector Jim Alexander, with the Contra Costa District Attorney's Office. The interviews were digitally recorded, and later transferred to CD. Refer to the CD for exact verbiage and sequence.

Interview of Lieutenant Alan Shields, Assistant SWAT Commander, in summary:

Interview began at 1650 hours.

On 3/17/2016, at approximately 2300 hours, Lieutenant Shields received a call from Lieutenant Jose Beltran, stating there may be a possible call-out on the east end of the county. Beltran made a call to Lieutenant Vannoy and also to Sergeant Gackowski. Lieutenant Beltran determined there was a barricaded subject, who had an active felony warrant for child molestation, with a bail amount in excess of one million dollars. Lieutenant Beltran conveyed that Patrol had gone to the residence to serve the warrant. When Patrol arrived, the residents began to shut down the lights and it appeared the residents knew police were at the location.

At some point, the family members left the residence, leaving just the wanted subject inside the home. The officers continued to go to the home. When Sergeant Gackowski looked into a window of the residence, he saw the subject with the warrant (through the window), who also appeared to be holding a gun in his hand. Sergeant Gackowski set up a perimeter and started to lock the residence down. Sergeant Gackowski made several attempts to communicate with

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the subject in the house, with negative results.

SWAT (Special Weapons And Tactics) was requested. Lieutenant Shields and Lieutenant Beltran initially sent out a HNT (Hostage Negotiations Team) element and Lieutenant Beltran went out to the scene, to manage that element. When the HNT element arrived on scene, they were unsuccessful in making any contact with the subject. Lieutenant Shields and Lieutenant Beltran then looked at the situation and asked if this was one of those situations where they could walk away. They looked at the factors that this was a crime against persons, it was a high dollar amount (warrant), the person did not want to be taken into custody, there was a potential he could flee, and this is someone (in their opinion) that needed to be taken into custody for the safety of the public.

Inspector Alexander asked if the fact that the suspect was armed entered into that decision. Lieutenant Shields confirmed that it had.

The decision was made to recommend a full team call out. Captain Hoffman authorized a full SWAT team call out, which meant that Snipers and Tactical Units were also going to be deployed. Lieutenant Shields and Lieutenant Beltran made the call (at approximately 0200) to call out the rest of the SWAT Team. Snipers were instructed to deploy straight to the scene, while the rest of the Tactical Team was instructed to respond to the FOB, gather the rest of the equipment, load up in the people movers and then respond to the scene.

Based on the layout of the structure, the Bearcat was deployed along with the initial HNT element. The Bearcat is an armored vehicle which can provide armored cover for the HNT element and can also be used as a mobile deployment spot for the LRAD, which is a directional speaker/PA system. A couple of SWAT tactical operators were sent with the Bearcat, to provide armed support for HNT personnel.

The structure was on a large lot, with little to no cover around it. There was really no way to get a PA system close to the house, without compromising the HNT or SWAT operators, so they used the Bearcat to provide cover. While trying to deploy the LRAD (PA system), the Bearcat got stuck on a concrete block and became disabled.

Once Lieutenant Shields and Lieutenant Beltran got on scene, about an hour and a half later, they started by getting three Sniper elements in place around the structure. Then they started to swap the tactical elements with patrol officers, who were on scene. Upon completion, Team members attempted to recover the Bearcat but were unsuccessful, due to the soft ground. A request was made for Pittsburg's (PD) armored vehicle. Pittsburg's armored vehicle arrived on scene around 0600 hours. Between that time, HNT began to have success with contacting the suspect and started to get on the phone with him. Lieutenant Shields said it appeared the negotiations were going well (at that point) because the subject in the house started asking questions such as, "What may happen? Where am I going? What's this....?" For HNT, that was a positive sign. It was an indicator of someone that was trying to work through the problem. The tactical element was instructed to hold in place, act as a react team, and receive the subject should he exit the house.

Sniper Teams were set in a place where they felt they had good cover for the tactical teams.

Negotiations would go on for a bit, then go off. It wasn't ended in an angry manner, it seemed like the subject was fairly steady in his demeanor. He wasn't erratic, but he would say he wanted to stop and think about it for a while. The negotiator would try to hold on, but ultimately the subject would hang up. Then the negotiator would be able to make contact again. It appeared that each time they made contact, the subject would close off more and more and talk less and less. It got to a point where, toward the end, the subject really wouldn't say much at all and it became a one way

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negotiation. There was significant content such as, when HNT would ask, "Do you have a weapon?", the subject made statements to the effect of, "Yes I have a weapon. Yes I have a gun. I'm not putting it down. If you come in here, I'm not putting my hands in the air. I'm not going to drop the gun. I'm not going to jail. I went to jail for a couple of days and I didn't like going to jail. I'm never going back to jail."

HNT tried to problem solve with the subject and work through the issues. It seemed like instead of opening more doors, the subject was closing more and more of those doors. At one point, he was asking for his brother, [REDACTED]. The way the subject was asking (the context), Lt. Shields felt that the subject was wanting to give a final goodbye to [REDACTED]. Lieutenant Shields clarified that he had been a part of negotiations that had not gone well in the past. He had also trained in those type of situations. The subject would just say he wanted to talk to his brother. He did not say, I just want to talk to my brother and I'll come out. The way the subject was talking and repeatedly asking for his brother, if he was in fact looking to make a final goodbye, that was a conversation that Lieutenant Shields did not think should happen.

HNT had recorded statements from the subject's wife. Those were played over the phone and over the loudspeaker (LRAD). HNT believed those were successful, at times, because negotiations would not be going well, then after playing the conversations over the loudspeaker, the suspect would re-engage. They thought that was a positive thing and was working in their favor.

Over time, the subject began to shut down and become more withdrawn. In the beginning, he didn't really talk about suicide as much. Towards the end, when asked, "Are you going to commit suicide?", Lieutenant Shields believed the response was something to the effect of probably, or possibly. It got to the point where not only was the Negotiations Team concerned, but they felt they needed to try do something to save that person's life. It would not have been proper to enter that house because then they would have been forcing a confrontation and putting Officers at risk, so that option was off the table.

Several times, Lieutenant Beltran and Lieutenant Shields would stop and say, "Okay. Where are we at? What is his demeanor like? What should our next steps be? Should we push forward? Give more time?" It appeared that when HNT would take steps to give more time, the subject's demeanor and behavior would degrade and become more withdrawn. Based on those actions, stimulation tactics were used. HNT would use the third-party intermediary, where HNT played the tape of the wife, or the SWAT operators used flash-bangs. Flash-bangs are distraction devices that utilize a loud explosion, without causing any damage. Use of those things would result in the subject re-engaging (communicating) with HNT. It was positive communication. It wasn't, "Stop throwing that! Stop doing that!" HNT felt it was a positive path they were on. They thought if they could get him to come to that decision to come out of the house and surrender, they would be in a positive ground and would have an opportunity to save his life.

The next step was the use of flash-bangs outside, which weren't working. Lieutenant Shields and Lieutenant Beltran formed a plan was to "drive" gas. The Tactical Team would use small amounts of gas by using ferret rounds, from the east side of the house. The subject was primarily on the west side of the house, which was where most of our tactical units had set up, in order to receive him. One of the operators fired gas rounds from the southwest corner, then traveled through the garage and fired from the southeast corner. One round was directed to be shot down the hallway, so it would enter the room. The other was to go through the French doors, on the back side of the bedroom. Those were both deployed successfully, as they were expended and the chemicals were released in the air.

Shortly after that, Lieutenant Shields heard several shots, in rapid succession, over approximately a second and a half

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ARREST: No

period of time. It was very quick. It was not a sustained fire fight of any kind. It sounded like they were all the same caliber. Immediately after that, over the air, he heard one of the operators say, "Shots fired. Suspect down." Then he heard, "Suspect in custody, beginning first aid", or something similar to that. And then, "Bring in medical." Medical was then brought to the scene.

Team members then started to secure the command post area. Lieutenant Beltran, Lieutenant Shields, Captain Hoffman and Sergeant Kohlmaier drove down to the scene, to start their assessment. The house itself had not yet been cleared, so Team members were directed to clear it, from the east to the west side. Lieutenant Shields observed medical staff (paramedics) tending to the subject, on the ground, who appeared to be moving at that time. Lieutenant Shields could see the subject's mouth opening and closing and believed it looked like the subject was still breathing. SWAT operators were maintaining control of that scene.

Lieutenant Shields and Lieutenant Beltran started to separate out the officers who had discharged their firearms and put them to the side. All other personnel were directed to take tasks, such as secure that scene and clear the house.

Eventually the paramedics loaded the suspect on a gurney, put him in the ambulance and requested a helicopter to transport. The helicopter was about 15 minutes out. By the time the helicopter arrived and landed, they (the paramedics) had pronounced him (the subject) dead. The helicopter took off and the suspect remained in the ambulance.

The rest of the operators had the scene of the Officer Involved Shooting secured (the patio area by the kitchen door and master bathroom window), as well as the overall perimeter of the residence.

Lieutenant Shields described the shooting scene as; on the west side of the residence was a door leading into the kitchen. Next to that, to the right, is a window. One of the operators stated the subject came out of the window, went toward the operators on the north side of the residence, had the gun down by his side, then raised it up. As he raised it up, Officers from the position on the northwest corner and from the vehicle that was to the west (along northwest wall), fired on the subject and that was where the subject went down.

Lieutenant Shields observed some blood on the ground, where the subject had been laying. Next to that position, he saw what looked to be a Sig Sauer pistol. He could also see some expended shell casings, where the operators on the northwest corner would've been, maybe 15 feet from that corner of the house. He also observed some expended .223 shell casing there. Lieutenant Shields stated he could also smell, and was effected, by the chemical gas from the inside.

Of the three Officers that shot, two of the Officer's gave safety statements to Lieutenant Beltran. A safety statement is given by a tactical operator after a shooting, or similar incident. It may contain any immediate safety concerns, such as injuries or number of shots and direction of bullet travel, if shots were fired. Lieutenant Shields took a safety statement from Sergeant Mark Johnson. He talked to Sergeant Johnson at the front of the residence, near the front door. Sergeant Johnson's statement to him was that Sergeant Johnson was with his team on the northwest corner of the residence. Gas had been deployed, the subject came out of the window and had the gun down by his side. The subject started to walk toward the team at the northwest corner and started to raise the gun. Both Sergeant Johnson and Sergeant Shawn Welch fired and Johnson believed that Deputy Anthony Rossi also fired (from his position at the vehicle). That was the extent of the safety statement. Johnson gave him the direction the bullets would've traveled towards the house and that was that.

Distribution

Additional Routing

Reporting Deputy (Print)

YOUNG, TIMOTHY

Date / Time Written

5/23/2016 09:19:17

Disposition

Case active

Approving Supervisor(Print)

ANDAYA, MARC

Supervisor No.

70779

Date

6/15/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: RIC

DV: No

ARREST: No

After that, Lieutenant Beltran and Lieutenant Shields ordered the house to be cleared. They cleared the house up to the master bedroom, where the dogs were located. Animal control arrived and took custody of the dogs. The rest of the team finished clearing the house. No other people were located in the house.

The house then "buttoned up" and secured for the Investigative Team.

Lieutenant Shields then clarified that all SWAT Team members were briefed, prior to being deployed to their positions or assignments. Also, during the incident, regarding use of stimulation tactics (LRAD, flash bangs, gas), all Team leaders for each element were briefed as to what was going to happen, what to expect and how they were expected to react.

Regarding the Negotiations Team, they use a negotiations software system that tracks all calls made and received throughout the incident. They can also manually enter notes. To make an accurate log of the events, the team tried to log every time they called, the completed calls, the content of the calls and statements the suspect made. Lieutenant Shields and Lieutenant Beltran would also have them make notes when stimulation tactics were used, such as the LRAD, gas, flash bangs, third party intermediary, etc.

Both Lieutenant Shields and Lieutenant Beltran were in constant communication with both the SWAT operators on scene and HNT, via radio updates and text messages, Operators bringing information back to the Mobile Command Vehicle (MCV) and being with the HNT element, inside the MCV.

Lieutenant Shields also clarified that during Sergeant Mark Johnson's safety statement, Sergeant Johnson and several other operators repeatedly yelled to the subject, "Drop the gun. Drop the gun, Drop the gun."

Inspector Alexander asked how they (SWAT) were able to confirm the subject had a gun, prior to coming out the window. Lieutenant Shields stated that there was the initial sighting by Sergeant Gackowski, the subject's statements (that he had a gun) and information by one of the tactical operators that he observed the subject walking somewhere in the house in possession of a gun.

Lieutenant Shields had no further information.

The interview was ended at 1711 hours.

Interview of Sergeant Melissa Klawhun, SWAT Hostage Negotiations Team (HNT), Team Leader, in summary:

Interview started at 1452 hours.

Sergeant Klawhun was called by Lieutenant Shields, at approximately 2330 hours and advised of an incident in Byron. Sergeant Klawhun made several calls to HNT Team Members, prior to leaving the residence, then left for the scene.

When Lieutenant Shields called, he advised there was a barricaded subject in Byron. It was going to be an HNT call-out only (at that time), with no tactical team. Eight of the eleven team members were initially contacted and were requested to respond directly to the scene, with the exception on Deputy Parrish and Deputy Williams, who responded

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Additional Routing		
Reporting Deputy (Print) YOUNG, TIMOTHY	Date / Time Written 5/23/2016 09:19:17	Disposition Case active
Approving Supervisor(Print) ANDAYA, MARC	Supervisor No. 70779	Date 6/15/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

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to the FOB to retrieve the Mobile Command Vehicle (MCV). Parrish was directed to bring the MCV to the intersection of Byron Highway and Hoffman Lane, where the command post was going to be set up.

When Sergeant Klawhun arrived on scene, Sergeant Muse, Lieutenant Beltran and Lieutenant Vannoy (on-duty Watch Commander) were on scene. Sergeant Rivera and Deputy Hunter were also on scene, across the street, at the Excelsior Middle School. They had retrieved a small portion of the HNT equipment and were trying to get the subject on the phone. At the time of Sergeant Klawhun's arrival, Deputy Hunter and Sergeant Rivera's attempts to get the subject on the phone had not been successful.

Once the MCV arrived on scene and had been set up, Sergeant Rivera and Deputy Hunter were moved to the MCV, so negotiations could continue at the Command Post. Deputy Hunter was assigned as the primary negotiator, since she had already started in that role. Her coach was Deputy Dallas Collier. At that time, Sergeant Klawhun assigned Deputy Parrish as the Primary Information Officer, who would gather intelligence to assist Deputies Hunter and Collier. Deputy Oakley was new to the Team and was assisting with peripheral duties.

About that time, the Bearcat arrived on scene, which was requested by Lieutenant Beltran. Sergeant Muse and Deputy Williams were assigned to be in the Bearcat.

Since communication with the subject had not been made, the Bearcat was to be deployed with the LRAD (a large speaker), to attempt to get the subject to answer his phone. The Bearcat subsequently got stuck in the mud. As the team members in the Bearcat continued to make LRAD announcements, Deputy Hunter continued to try to contact the subject on his cell phone, due to the team being unaware of a landlines at that point.

Prior to Sergeant Klawhun's arrival, the subject's wife, [REDACTED] had given her cellphone to one of the HNT Team members, so Sergeant Muse had that inside the Command Post. Deputy Hunter also sent a text message, from the wife's phone, trying to get the subject to respond back. The subject never responded back. Initially, it didn't appear the text messages had been delivered. That was at the same time the calls were being made, which were going straight to voicemail. The calls would ring a few times, then go to voicemail. Based on the calls now going directly to voicemail and the text messages appearing to be un-delivered, it was believed the subject had turned off his phone. So, the team continued with the LRAD announcements and continued calling in.

At one point, the coach (Collier) said they had the subject on the line. Hunter was communicating with the subject while other team members tried to get more information from the subject's wife. The team considered doing a TPI, or Third-Party Intermediary, which is a phone recording. Deputy Oakley and possibly Deputy Parrish spoke with [REDACTED] (the subject's wife) and had her make a recording for the subject. After reviewing the recording, Sergeant Klawhun did not feel the statement was heart-felt and was not comfortable in using it. Sergeant Klawhun later clarified that the recording sounded very monotone and non-emotional.

[REDACTED] did tell team members that a person worth talking to would be the subject's brother, [REDACTED]. A phone number for [REDACTED] was located in [REDACTED] phone, but he did not answer [REDACTED] also provided two addresses, where [REDACTED] may be located. Both addresses were in Antioch. Antioch PD was asked to do an outside assist. [REDACTED] was subsequently located and contacted Sergeant Klawhun, via telephone.

Deputy Parrish used Sergeant Klawhun's phone to conduct a short interview with [REDACTED] who confirmed he was close with the subject. [REDACTED] subsequently responded to the scene, where several TPI messages were made.

Distribution

Additional Routing

Reporting Deputy (Print)

YOUNG, TIMOTHY

Date / Time Written

5/23/2016 09:19:17

Disposition

Case active

Approving Supervisor(Print)

ANDAYA, MARC

Supervisor No.

70779

Date

6/15/2016



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DV: No

ARREST: No

Meanwhile, Deputy Hunter continued to communicate with the subject, on and off. The subject kept saying he did not want to go back to jail. [REDACTED] also confirmed the subject had been to jail on the molestation charges and had stated he did not want to go back. It took time for Deputy Hunter to build a rapport with the subject. It was found the subject was religious. When Deputy Hunter used the religion topic, the subject seemed to be drawn in and more responsive. The subject would still hang up after brief periods of conversation. HNT would continue to call back after he disconnected.

The battery on the LRAD, which was on the Bearcat (still stuck in the mud), died. Due to using the unit at a high volume, it burned through the battery fairly quickly. With the LRAD battery dead, HNT no longer had the ability to go over the speaker and tell the subject to answer the phone. It appeared the subject may have turned off his phone again. During that time, the team continued to talk with [REDACTED] and made the TPI recordings.

Lieutenant Beltran had requested the BAT (armored vehicle from Pittsburg PD) to respond. Sergeant Klawhun stated she had a TPI from [REDACTED]. Based on several statements that [REDACTED] was close with the subject and may be able to influence him, Sergeant Klawhun felt it was worth while using it. A plan was made to wait for the BAT to arrive, then the TPI would be played over the LRAD, or over the phone. When the BAT arrived, the subject was still not answering the phone, so the TPI was played over the LRAD. The subject heard the TPI and subsequently responded by answering the phone.

The subject then requested to talk to his brother. It was conveyed to the subject that his brother was on scene and he would have to come out if he wanted to talk to his brother. The subject stated they (negotiations between the subject and HNT) would not move forward unless he could talk to his brother. Sergeant Klawhun asked Deputy Hunter to address the gun with the subject. The subject confirmed he had a gun and it was in his hands. Deputy Hunter asked him to put it down. He refused. Deputy Hunter then asked him to come out. He refused.

The negotiations became more concerning. The subject stated, "I'm not going to come out. I'm not going to put the gun down. And if you guys come in, I'm not going to put my hands up." Sergeant Klawhun was relaying this information over the radio, to the tactical units. Deputy Hunter said the subject was very steadfast. He wasn't changing his demeanor. It sounded like he was crying at times, but other than that, he was not very emotional. He continued to refuse to come out. He said at one point, "What are you guys afraid of?" Sergeant Klawhun believed he said something to the effect of, "The only reason you guys aren't coming in is because you know I have the gun."

[REDACTED] stated his brother was not the type to commit suicide. When Deputy Parrish told [REDACTED] how long the incident had been going on, [REDACTED] stated that his brother had a lot of time to think about the situation. [REDACTED] believed that the subject would not kill himself, but would push the officers to do it for him. Sergeant Klawhun relayed [REDACTED] opinion to the Lieutenants (Shields and Beltran).

The subject never admitted he was going to commit suicide and never admitted he was going to try to commit "suicide by cop." When asked about committing suicide, the subject would either not answer the question or avoid the question.

Deputy Hunter was getting less participation from the subject. The conversations consisted of Deputy Hunter doing most of the talking. Sergeant Klawhun advised the Lieutenants that it had been approximately 15 minutes with an open line, but no response from the subject. At that point the decision was made to start stimulating the subject, tactically. That did cause the subject to answer the phone, but he refused to come out and there was no actual verbal

Distribution

Additional Routing

Reporting Deputy (Print)
YOUNG, TIMOTHYDate / Time Written
5/23/2016 09:19:17Disposition
Case activeApproving Supervisor(Print)
ANDAYA, MARCSupervisor No.
70779Date
6/15/2016



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DV: No

ARREST: No

communication when on the line. This went on for quite some time. HNT could not hear the subject on the phone, not even the sound of breathing. The negotiations team could hear the announcements (LRAD) on the line, but nothing from the subject.

Lieutenant Beltran decided to deploy gas. Shortly after the gas was deployed was when the negotiations team heard what sounded like shots fired. The phone line remained open, until after the shots were fired. The line was disconnected, after the shooting stopped. It appeared the SWAT operator(s) found the phone while clearing the residence and disconnected the line (hung up the phone).

Sergeant Klawhun clarified that [REDACTED] was not put on the phone with the subject, due to that fact that they were unclear if the subject just wanted to talk to him or to just say goodbye. If that was the fact, they did not want to escalate that situation.

Sergeant Klawhun provided a copy of the call log from the HNT software, which recorded all calls and notes entered into the log, for this incident.

Sergeant Klawhun had no further information.

Interview ended at 1521 hours.

Interview of Deputy Jack Oakley, Hostage Negotiations Team member, in summary:

Interview began at 1548 hours.

Deputy Oakley received a phone call just prior to midnight, stating there was a barricaded subject incident. Deputy Oakley received a text message with the location and was instructed to respond to that location. He arrived on scene at approximately 0030 hours and waited for the rest of the HNT Team to arrive. It was supposed to be his first day of training, so he was to be observing how the Team operates. Deputy Oakley was informed that a subject had barricaded himself in the bathroom, after Deputies had tried to serve a warrant. Deputy Oakley was inside the MCV during parts of the negotiation. He did not have a headset on but could hear parts of the negotiation and recalled hearing the negotiator trying to coax the subject out and telling the subject they (the Sheriff's Office and HNT) were here for his safety. After several hours, he believed the SWAT Team deployed gas and the subject came out of the window, with a gun, and the Team reacted appropriately.

Deputy Oakley had no direct involvement in the incident, other than asking the wife a few questions and driving part of the tactical team to the scene and back to the MCV.

Investigator Alexander asked Deputy Oakley what the wife's demeanor was, during his contact with her. Deputy Oakley stated he could smell alcohol on her breath. She seemed fairly calm and kind of out of it. He did not think she was severely intoxicated but he could smell the odor of an alcohol beverage. Deputy Oakley believed she seemed disconnected from the incident. He also believed he sensed a lack of compassion from her. He could not recall any particular statements she made.

After that, he returned to the MCV and observed the rest of the operations.

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Reporting Deputy (Print) YOUNG, TIMOTHY	Date / Time Written 5/23/2016 09:19:17	Disposition Case active
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DR No: 160004105

Sup No: 0004

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DV: No

ARREST: No

Deputy Oakley had no further information.

Interview was ended at 1557 hours.

After the interviews were completed, I downloaded six digital photos from Sergeant Muse's cellphone, at his request. Sergeant Muse stated he was requested to take photos of the subject, prior to and as first aid was being administered. I downloaded the photos and burned them to a disk, which I provided to Detective Busch.

I was also handed the call log from the MCV, provided by Sergeant Klawhun. I also provided that disk to Detective Busch.

No further information.

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Reporting Deputy (Print)

YOUNG,TIMOTHY

Date / Time Written

5/23/2016 09:19:17

Disposition

Case active

Approving Supervisor(Print)

ANDAYA,MARC

Supervisor No.

70779

Date

6/15/2016



DR No: 1 74105

Sup No: 0003

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

DR No. 160004105	Sup. No. 0003	Assignment HOM	Reported Date Thu 03/17/2016	Reported Time 2206	Status REPORT TO FOLLOW	Confidential? No	Entered By 66581
From Date Thu 03/17/2016	From Time 2206	To Date	To Time	Report Incident Type 245(D)(1)	Use Of Force NONE		
Location 2700 HOFFMAN LANE					City BYRON	Zip 94514	
Offense No.	Offense	Offense Description					
Evidence No	Fingerprint No	Body Camera No	Marsy's Law No	Elder Abuse From SOC 341 No	Victim Response - 293 PC No	Missing/Stolen Value	Damaged Value

SYNOPSIS

This is an investigative supplement.

SUBJECTS

VEHICLES

VESSELS

PROPERTY

MODUS OPERANDI

NARRATIVE

This is an investigative supplement.

On 03-18-16, I responded to 2700 Hoffman Lane in Byron, to assist with the investigation of an Officer Involved Shooting. (OIS)

I was later paired with Inspector Robert Pamplona of the Contra Costa County District Attorney's Office at the Field Operation Bureau. We were tasked with interviewing members of the SWAT team.

I interviewed Sergeant Gackowski #65940.

The interview was audio recorded and later downloaded into a CD copy and booked into evidence. Refer to the CD copy for the exact language and sequence. The following is a summary of the interview:

Sergeant Gackowski is employed as a Sergeant with the Contra Costa County Sheriff's Office. Sergeant Gackowski began his shift on 03-17-16 at 1430 hours. Sergeant Gackowski was told at approximately 1530 hours or 1600 hours, that Michael Mallett had an active warrant for his arrest. Sergeant Gackowski knew Mallett from a prior arrest. Due to Mallett previously being contacted with a firearm on his side, Sergeant Gackowski decided to wait until graveyard staff came on duty to serve the warrant. According to Sergeant Gackowski, Mallett had been cooperative in the past, but he wanted to be safe. Sergeant Gackowski conducted a briefing at Delta station with Sergeant Briggs, Deputy McDevitt, Deputy MacLennan, Deputy Dombrowski and Deputy Barckley. Deputy Singleton, and Deputy

Distribution

Additional Routing

Reporting Deputy (Print) STEELE,ERIK	Date / Time Written 3/31/2016 12:36:51	Disposition Closed other
Approving Supervisor(Print) ALLDRITT,BEN	Supervisor No. 71008	Date 4/28/2016

**OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY**
CA0070000

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Beat: 32

DV: No

ARREST: No

Durrer were staged in the area of Byron Highway and Hoffman Lane, and were not present during the briefing. Sergeant Gackowski, Sergeant Briggs, Deputy McDevitt, Deputy MacLennan, Deputy Dombrowski, and Deputy Barkley responded to the intersection Byron Highway and Hoffman Lane. They then moved to 2700 Hoffman Lane with Deputy Singleton and Deputy Durrer on 03-17-16 at approximately 2225 hours.

As Sergeant Gackowski responded to the home, he observed people through the windows. It appeared the people were aware of law enforcements presence, and began running through the home and turning off lights. Deputy McDevitt Deputy MacLennan, Deputy Dombrowski, and Deputy Barkley responded to the front of the residence, and Sergeant Gackowski and Sergeant Briggs went to the left hand side of the home. Sergeant Gackowski could see a sliding glass door or french door that lead to a bedroom. Sergeant Gackowski saw Mallet, who he recognized from prior law enforcement contacts, walk out of the home through a French door or sliding glass door. Mallet was wearing a white t-shirt and white boxer shorts. Sergeant Gackowski could clearly see that Mallet had a gun in his hand. Sergeant Gackowski believed he was approximately fifteen to twenty yards away from Mallett.

Sergeant Gackowski told Mallet to drop the weapon. Sergeant Gackowski identified himself as the Sheriff's Office, and told Mallet he needed to go inside the house, drop the weapon, and go to the front door to make contact with Deputies. Mallet went inside the home, and then came out a short time later with a flashlight in one of his hands. Sergeant Gackowski no longer saw Mallet with a gun. Mallet asked Sergeant Gackowski something like, what was going on. Sergeant Gackowski told Mallet he needed to go inside his house, not have anything in his hands, and go to his front door because a Deputy was waiting for him. Mallett went back inside the house, but stopped communicating with law enforcement.

Sergeant Gackowski previously wrote down Mallett and Mallett's wife cellular telephone numbers and began calling them. Sergeant Gackowski was not able to contact Mallet, but was able to contact Mallett's wife. Mallett's wife asked what was this all about, and Sergeant Gackowski said Mallet had a warrant for his arrest, and they needed to go to the front door. Mallett's wife ended up out front, and Sergeant Gackowski went to speak with her. Mallett's wife told Sergeant Gackowski that Mallett was not coming out. Sergeant Gackowski asked about the people upstairs. Mallett's wife said it was her sister and two kids. Deputy Durrer was able to contact the sister on the telephone, and the sister and two kids exited the home. Mallett's wife also advised her parents lived in an in-law unit on the property. Sergeant Gackowski checked the in-law unit and assisted the father out of the home. Sergeant Gackowski learned the mother had left the in-law unit when she heard yelling. Sergeant Gackowski moved the family down Hoffman Lane, away from the location. Through the information Sergeant Gackowski received from Mallett's wife, it appeared Mallet was the only person still inside the home.

Deputy Severs and Deputy Allain responded to 2700 Hoffman Lane to assist Sergeant Gackowski after they heard a subject had a gun over the radio. Sergeant Gackowski had Deputy Severs turn on his take down lights and spot lights so they had full illumination on a portion of the home. Sergeant Gackowski continued to try to call and text message Mallett, but was unable to contact him. Mallet sent his wife two text messages stating goodbye, and I'm glad we had these last six weeks together. Sergeant Gackowski began PA announcements from Deputy Severs patrol vehicle, but was unable to get in contact with Mallett. Sergeant Gackowski made sure Deputies were positioned appropriately, and covered the entire house in the event Mallett exited the home.

After attempts to contact Mallett were unsuccessful, Sergeant Gackowski contacted the SWAT commander and advised him they had an armed barricaded subject with a million dollar warrant. Members of the Hostage Negotiation Team and SWAT team responded to 2700 Hoffman Lane and began making PA announcements to Mallett. Sergeant

Distribution

Additional Routing

Reporting Deputy (Print)

STEELE,ERIK

Date / Time Written

3/31/2016 12:36:51

Disposition

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Approving Supervisor(Print)

ALLDRITT,BEN

Supervisor No.

71008

Date

4/28/2016



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Gackowski is also a Sergeant on the SWAT team, and began facilitating communication between patrol staff, the hostage negotiation team, and the SWAT team.

Sergeant Gackowski went to the Command Post located at Byron Highway and Hoffman Lane to brief the SWAT Commander of the incident. Sergeant Gackowski discussed plans, and getting SWAT equipment prepared for other SWAT members. Sergeant Gackowski responded back to the home to deliver equipment, and was present when two flash bangs were placed inside the residence. Sergeant Gackowski returned to the Command Post and heard a couple shots in the distance. Sergeant Gackowski believed he heard six or seven shots. Sergeant Gackowski heard over the radio that shots had been fired. Sergeant Gackowski observed Fire and Medical personnel respond to 2700 Hoffman Lane.

Sergeant Gackowski responded back to 2700 Hoffman Lane. Sergeant Gackowski observed medical personnel providing medical treatment to Mallett who was laying in the grass near the rear of the home. Someone pointed out to Sergeant Gackowski a black firearm that was laying on the ground on the patio, just outside the kitchen door. Sergeant Gackowski maintained sight of the firearm until he was relieved by Deputy Giannini. Sergeant Gackowski advised he performed a weapons check of the SWAT team members, and only went inside of the home located at 2700 Hoffman Lane to open windows to clear the home of residual OC.

Sergeant Gackowski then responded to the Field Operation Bureau.

I interviewed Deputy Morris #72340.

The interview was audio recorded and later downloaded into a CD copy and booked into Field Operations Bureau evidence. Refer to the

CD copy for the exact language and sequence. The following is a summary of the interview:

Deputy Morris has been employed with Contra Costa County Sheriff's Office for eight years, and has been a member of the SWAT team for three to four years. Deputy Morris' assigned work schedule is Friday through Sunday (0530-1850). On 03-18-16, at approximately 0330 hours, Deputy Morris received a SWAT call out by telephone. Deputy Morris responded to the command post near Excelsior Middle School and received a briefing from Commander Beltran. Commander Beltran advised late in the evening on 03-17-16, at approximately 2200 or 2300 hours, Deputies attempted to serve a warrant on a subject for child molest charges. As Deputies attempted to serve the warrant, the subject brandished a firearm, and retreated into his residence.

Deputy Morris' duties were to respond as a designated Marksman. Deputy Morris was assigned by his sniper team leader Sergeant Beard. Deputy Morris and Sergeant Beard were assigned to the four side of the building. Deputy Morris explained the four side was the side on the right of the building. Deputy Morris positioned himself approximately sixty yards out near the center line of the structure. Deputy Morris took his position at approximately 0500 hours, and was never relieved from his position. Deputy Morris was responsible for securing a long rifle on that side of the structure, and to give any updated details of his observations for other SWAT team

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ARREST: No

members to hear. Deputy Morris' main focus point was a glass sliding door that allowed him to slightly view inside the structure. Deputy Morris could hear hostage negotiators making contact over the radio, and heard audio being broadcast near the location by hostage negotiators. Deputy Morris recalled hearing orders for Mallett to exit the residence without the firearm, with his hands up. Deputy Morris also heard what appeared to be recorded audio from Mallett's family to entice him to speak with law enforcement and end everything peacefully. Deputy Morris observed approximately two to four flash bangs being deployed outside of the structure from his position. Deputy Morris was aware the SWAT team had recently deployed a chemical agent inside of the home. Deputy Morris explained a chemical agent is used in an attempt to stimulate, or get the subject to make a decision and come out peacefully.

Deputy Morris focused on a door he could see through, believing Mallett could exit. Deputy Morris either heard on the radio or scanned, and saw Mallett exiting a window. Mallett began walking toward Deputy Morris, and Deputy Morris saw Mallett had a dark colored object that appeared to be a gun in his right hand. Deputy Morris vocalized to his partner that Mallett had a gun. Deputy Morris took the safety off his weapon, and focused on Mallett through his scope. Deputy Morris observed Mallett holding the firearm down by his right side, but never saw him raise the firearm. Deputy Morris never saw Mallett get shot, but heard sounds consistent with gunshots, and saw Mallett fall to the ground. Deputy Morris described his view as being through his scope, and he could only see a certain amount including the window Mallett exited, a little portion of the building around it, and Mallett from his knees and up. Deputy Morris unbolted the action from his rifle, and took out the magazine so there would be no accidental discharge.

Deputy Morris went to the structure to see if they needed any assistance. Deputy Morris observed Sergeant Beard and Detective Rossi attempting to render aid to Mallett. AMR responded and took over medical actions. Deputy Morris observed a black handgun approximately six feet away from where AMR was rendering aid to Mallett. The crime lab responded and took photos of Deputy Morris and both his rifles. The Crime Lab also counted Deputy Morris' rounds.

Deputy Morris then responded to the Field Operation Bureau.

I interviewed Sergeant Hoekwater #54958.

The interview was audio recorded and later downloaded into a CD copy and booked into Field Operations Bureau evidence. Refer to the CD copy for the exact language and sequence. The following is a summary of the interview:

Sergeant Hoekwater is employed as a Sergeant with the Contra Costa County Sheriff's Office. Sergeant Hoekwater has been employed with the Contra Costa County Sheriff's Office for nineteen years. Sergeant Hoekwater was been a member of the SWAT team for ten years. Sergeant Hoekwater's assigned work schedule is Friday through Sunday, graveyard shift. On 03-18-16, at approximately 0300 hours, Sergeant Hoekwater received a telephone call from Lieutenant Shields advising him of a pending SWAT call out. Sergeant Hoekwater was advised to notify all the snipers. The official SWAT call out was approximately ten to fifteen minutes later. The call out advised there was a barricaded suspect at 2700 Hoffman Lane. Sergeant Hoekwater responded to Hoffman Lane at the command post, at

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3/31/2016 12:36:51

Disposition

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DV: No

ARREST: No

approximately 0430 hours. Sergeant Hoekwater met up with other snipers and received a briefing. Sergeant Hoekwater was advised the Sheriff's Office responded to 2700 Hoffman Lane for a warrant service. A subject was inside the house with a gun, and barricaded himself inside the home. Sergeant Hoekwater was issued an assignment, and partnered with Deputy Meth.

Sergeant Hoekwater responded to the two three corner of the house. Sergeant Hoekwater explained the two three corner is located at the back of the house, facing the right side of the house. Sergeant Hoekwater positioned himself approximately sixty yards from the home. Sergeant Hoekwater took his position at approximately 0450 hours. Sergeant Hoekwater repositioned himself three separate times within a close proximity, and was as close as 55 yards from the house. Sergeant Hoekwater maintained his position the entire time, and was never relieved. When Sergeant Hoekwater took his position, he explained the visibility was dark, and he looked through a portable night vision. Sergeant Hoekwater could hear regular updates from hostage negotiators advising they were trying to communicate with Mallett. Sergeant Hoekwater could also hear the LRAD being used to try to communicate with Mallett. Sergeant Hoekwater explained the LRAD as a microphone, that also sends out tones. Sergeant Hoekwater stated the SWAT commander told one of the SWAT teams to deploy a distraction device. Sergeant Hoekwater observed two separate teams deploy distraction devices at the front and back of the house.

The distraction devices did not have a real response, and Mallett would periodically talk on the phone. Hostage negotiators continually kept everyone informed of what was going on. At a certain point, the decision was made to deploy gas inside the house. Sergeant Hoekwater observed SWAT team members deploy gas inside two locations of the home. Sergeant Hoekwater never observed Mallett exit the house, and only heard shots fired in the area. Sergeant Hoekwater heard approximately five to ten shots fired. Sergeant Hoekwater maintained his position until the Crime Lab arrived. The Crime Lab took photos of Sergeant Hoekwater and his rifles, and counted his rounds.

Sergeant Hoekwater then responded to the Field Operations Bureau.

See Inspector Pamplona's report for further information regarding the following interviews:

Deputy Durrer

Detective Meth

Deputy E. Rossi

After the interviews were completed, I went to 2700 Hoffman Lane and assisted with searching the property.

Evidence:

1. CD recordings of all interviews

Distribution

Additional Routing

Reporting Deputy (Print)
STEELE,ERIK

Date / Time Written
3/31/2016 12:36:51

Disposition
Closed other

Approving Supervisor(Print)
ALLDRITT,BEN

Supervisor No.
71008

Date
4/28/2016



DR No: 160004105

Sup No: 0011

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

DR No. 160004105	Sup. No. 0011	Assignment HOM	Reported Date Thu 03/17/2016	Reported Time 2206	Status REPORT TO FOLLOW	Confidential? Yes	Entered By 69052
From Date Thu 03/17/2016	From Time 2206	To Date Fri 03/18/2016	To Time 0938	Report Incident Type 245	Use Of Force FIREARM		
Location 2700 HOFFMAN LN					City BYR	Zip 94514	
Offense No. 1	Offense PC245B	Offense Description Assault W/ Deadly Weapon-Officer (F)					
Evidence No	Fingerprint No	Body Camera No	Marsy's Law No	Elder Abuse From SOC 341 No	Victim Response - 293 PC No	Missing/Stolen Value	Damaged Value

SYNOPSIS

This report is an investigative supplemental report into the Law Enforcement Involved Fatal Incident protocol event on Hoffman Lane.

SUBJECTS

Other	Invl. No 1	Type Individual								
	Race WHITE	Gender FEMALE	DOB [REDACTED]	AGE 45	To Age	Height 509	To Height	Weight 240	To Weight	Juvenile? No
	Hair Color Blond or Strawberry	Eye Color Green	Skin	General Appearance		Build	Clothing Discription			
	Hair Description		Facial Features		Speech	Demeanor		Deformity		
	Further Description Wife of suspect Michael Mallett									
	Address Type Home	[REDACTED]					City [REDACTED]	State CA	Zip 94514	
	ID Type Operator License	ID No. [REDACTED]	Operator License State California (Not for boat RES)							
	Offense Link	Offense	Phone Type Cell		Phone Number [REDACTED]					
	Email Type	Email								
	Mark Type	Mark Code	Mark Description							
	Employer / School				Position / Grade			Empl. From Date	Empl. To Date	
	Empl. Location					Empl. City			Empl. State	Empl. Zip
	Empl. Contact					Empl. Phone Type			Empl. Phone	

Distribution

Additional Routing

Reporting Deputy (Print) HOLLAND, BRIAN	Date / Time Written 5/17/2016 16:36:40	Disposition Closed other
Approving Supervisor(Print) ANDAYA, MARC	Supervisor No. 70779	Date 6/15/2016



DR No: 160004105

Sup No: 0011

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Other	Invl. No	Type										
	1	Individual										
	Race	Gender	DOB	AGE	To Age	Height	To Height	Weight	To Weight	Juvenile?		
	WHITE	FEMALE		76		511		170		No		
	Hair Color	Eye Color	Skin	General Appearance		Build		Clothing Description				
	Blond or Strawberry	Blue										
	Hair Description	Facial Features			Speech		Demeanor		Deformity			
	Address Type							State	Zip			
	Home							CA	94514			
	ID Type	ID No.	Operator License State									
	Operator License		California (Not for boat RES)									
	Offense Link	Offense	Phone Type		Phone Number							
			Cell									
	Email Type	Email										
Mark Type	Mark Code		Mark Description									
Employer / School	Position / Grade				Empl. From Date		Empl. To Date					
Empl. Location	Empl. City				Empl. State		Empl. Zip					
Empl. Contact	Empl. Phone Type				Empl. Phone							
Other	Invl. No	Type										
	1	Individual										
	Race	Gender	DOB	AGE	To Age	Height	To Height	Weight	To Weight	Juvenile?		
	WHITE	MALE		80		601		215		No		
	Hair Color	Eye Color	Skin	General Appearance		Build		Clothing Description				
	Brown	Green										
	Hair Description	Facial Features			Speech		Demeanor		Deformity			
	Address Type							State	Zip			
	Home							CA	94514			
	ID Type	ID No.	Operator License State									
	Operator License		California (Not for boat RES)									
	Offense Link	Offense	Phone Type		Phone Number							
			Cell									
	Email Type	Email										
Mark Type	Mark Code		Mark Description									
Employer / School	Position / Grade				Empl. From Date		Empl. To Date					
Empl. Location	Empl. City				Empl. State		Empl. Zip					
Empl. Contact	Empl. Phone Type				Empl. Phone							
Distribution												
Additional Routing												
Reporting Deputy (Print)					Date / Time Written			Disposition				
HOLLAND, BRIAN					5/17/2016 16:36:40			Closed other				
Approving Supervisor(Print)					Supervisor No.			Date				
ANDAYA, MARC					70779			6/15/2016				



DR No: 160004105

Sup No: 0011

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Other	Invl. No 1	Type Individual											
	Race WHITE	Gender FEMALE	AGE 45	To Age	Height 508	To Height	Weight 245	To Weight	Juvenile? No				
	Hair Color Blond or Strawberry	Eye Color Green	Skin	General Appearance	Build	Clothing Description							
	Hair Description	Facial Features			Speech	Demeanor		Deformity					
	Further Description Sister of Lisa												
	Address Type Home						City	State CA	Zip 94514				
	ID Type Operator License				Operator License State California (Not for boat RES)								
	Offense Link	Offense			Phone Type Cell	Phone Number							
	Email Type	Email											
	Mark Type	Mark Code			Mark Description								
	Employer / School				Position / Grade			Empl. From Date		Empl. To Date			
	Empl. Location				Empl. City			Empl. State		Empl. Zip			
	Empl. Contact				Empl. Phone Type			Empl. Phone					
	Other	Invl. No 1	Type Individual										
		Race WHITE	Gender MALE	AGE 47	To Age	Height 510	To Height	Weight 200	To Weight	Juvenile? No			
Hair Color		Eye Color	Skin	General Appearance	Build	Clothing Description							
Hair Description		Facial Features			Speech	Demeanor		Deformity					
Further Description Brother of S-Michael Mallett													
Address Type Home							City	State CA	Zip 94509				
ID Type Operator License					Operator License State California (Not for boat RES)								
Offense Link		Offense			Phone Type Cell	Phone Number							
Email Type		Email											
Mark Type		Mark Code			Mark Description								
Employer / School				Position / Grade			Empl. From Date		Empl. To Date				
Empl. Location				Empl. City			Empl. State		Empl. Zip				
Empl. Contact				Empl. Phone Type			Empl. Phone						
Distribution													
Additional Routing													
Reporting Deputy (Print) HOLLAND, BRIAN				Date / Time Written 5/17/2016 16:36:40				Disposition Closed other					
Approving Supervisor(Print) ANDAYA, MARC				Supervisor No. 70779				Date 6/15/2016					



DR No: 160004105

Sup No: 0011

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

Other	Invl. No	Type									
	1	Individual									
	Race		Gender		AGE	To Age	Height	To Height	Weight	To Weight	Juvenile?
	WHITE		MALE		47		605		290		No
	Hair Color		Eye Color		Skin		General Appearance		Build		Clothing Description
	Blond or Strawberry		Blue								
	Hair Description		Facial Features			Speech		Demeanor		Deformity	
	Address Type		City						State	Zip	
	Home								CA	94513	
	ID Type		Operator License State								
	Operator License		California (Not for boat RES)								
	Offense Link		Offense		Phone Type						
					Cell						
	Email Type		Email								
Mark Type		Mark Code		Mark Description							
Employer / School					Position / Grade			Empl. From Date		Empl. To Date	
Empl. Location					Empl. City			Empl. State		Empl. Zip	
Empl. Contact					Empl. Phone Type			Empl. Phone			

VEHICLES

VESSELS

PROPERTY

MODUS OPERANDI

NARRATIVE

I am currently a detective with the Contra Costa County Office of the Sheriff. I am assigned to the Homicide Unit.

This report documents my investigation into the Law Enforcement Involved Fatal Incident (LEIFI) protocol event that took place on 03-18-16 at approximately 0938 hours. First names are used in this report for ease of reading.

Distribution

Additional Routing

Reporting Deputy (Print)

HOLLAND, BRIAN

Date / Time Written

5/17/2016 16:36:40

Disposition

Closed other

Approving Supervisor(Print)

ANDAYA, MARC

Supervisor No.

70779

Date

6/15/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

At approximately 0945 hours on 03-18-16, I received a phone call from Sergeant Brown informing me there was a shooting that involved Sheriff Office personnel and protocol had been invoked. I was requested to go to the scene at 2700 Hoffman Lane in Byron.

I arrived and met up with several other Sheriff Office detectives and personnel from the District Attorney's Office. We were briefed by Lt. Beltran on the north side of the residence, next to where the shooting occurred. Lt. Beltran told us the following in summary:

BRIEFING:

The subject shot by members of the S.W.A.T. team was Michael Mallett. The day prior (03-17-16), a warrant for child molestation charges with a \$1,000,000 bail was issued for Michael. Swing shift and graveyard Delta Station deputies went to the house and attempted to serve the warrant and take Michael into custody. As the deputies were attempting to make contact, Michael appeared in the doorway holding a handgun to his side. The deputies took perimeter positions and called for all the residents to come out. Michael's wife, sister-in-law and her children all came out of the house. An elderly couple were evacuated from a cottage next to the main house. They continued efforts to have Michael come out peacefully. The deputies tried calling Michael's cell phone, they tried yelling inside the house and using PA systems. After several hours, the Hostage Negotiations Team (HNT) was brought in. Michael did communicate several times with HNT. Michael told HNT he would not put the gun down and he was not going to walk out. After a couple of hours, it was decided for a full S.W.A.T. call out. Sometime around 0330 hours the patrol deputies were relieved by members of the S.W.A.T. team. Negotiations continued for several more hours. Around 0930 hours, chemical agents were deployed into the area of the master bedroom, where they believed Michael was barricaded. Shortly after deploying the chemical agents, Michael exited the house through a window next to a react teams position. Michael exited with a gun in his hand and Michael was ordered to drop the gun. Michael did not comply and turned toward a group of deputies and started to advance and raise the weapon. Three deputies discharged their weapons, striking Michael several times. Michael was detained and the deputies began providing medical attention.

Distribution

Additional Routing

Reporting Deputy (Print)
HOLLAND, BRIANDate / Time Written
5/17/2016 16:36:40Disposition
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ANDAYA, MARCSupervisor No.
70779Date
6/15/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

INVESTIGATION:

I looked around and saw several shell casings that were either .223 or .556. I also saw a black semi-auto hand gun near the house, signs of medical intervention and some clothing. I was assigned to interview Michael's family with DA Senior Inspector Menchaca. I made contact with Michael's brother-in-law, [REDACTED] who had previously left his phone number while on scene. [REDACTED] told me most of the family, including Michael's wife, were at a residence in Antioch.

Senior Inspector Menchaca and I interviewed the following people: [REDACTED]

[REDACTED] We inquired about [REDACTED] Michael's brother. The family told us [REDACTED] was not going to talk to us and they did not know where he was. I documented the interviews of [REDACTED] and [REDACTED] Senior Inspector Menchaca documented the interviews of [REDACTED], see Menchaca's report for more information regarding their statements.

All the interviews were audio recorded. Below is a summary of their statements. For exact verbiage, sequence of events and context, refer to the recording.

INTERVIEW OF [REDACTED]

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Additional Routing

Reporting Deputy (Print)
HOLLAND, BRIANDate / Time Written
5/17/2016 16:36:40Disposition
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ANDAYA, MARCSupervisor No.
70779Date
6/15/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

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P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

██████ and Michael have been married for approximately 8 years, together approximately 13 years and have no kids together. They have raised foster children in the past and did not currently have any. In the beginning of February, 2016, Michael was arrested on charges related to child molestation. Michael was released after a few days and told ██████ he was innocent; however, if he was ever arrested again, he would be in jail for a long time. Michael told ██████ if that was the case, there was no way he could go back (to jail) and was not going to go back to jail. ██████ asked Michael to explain what he meant by that statement. Michael never elaborated beyond saying it (jail) was "Horrible" and he would not be able to help the family from jail.

██████ told us Michael was paranoid and not acting like himself for the first week after his arrest. After that, Michael started to behave more normally. Michael's paranoia did not get to the point where ██████ felt concerned for her safety. I asked ██████ to explain why she thought Michael was being paranoid. ██████ told us when a car would drive by, come near the driveway, or was parked near by, Michael would watch them and think the police were coming. ██████ just felt Michael had been through a lot and did not want to go back to jail.

I asked ██████ to tell me how things happened last night. ██████ told me she was in the living room when she heard knocking on the front door, close to 2200 hrs. Michael was in the master bedroom (lower level) when she informed him someone was at the door. As ██████ was telling Michael, she heard them announce themselves as being with the Sheriff's Office. Nobody answered the door and after a couple of minutes ██████ cell phone rang. ██████ received a call from an unknown deputy and Michael asked her to ask the deputy why they (deputies) were there. The deputy informed ██████ they were there for an arrest warrant and asked for everyone to come outside. Michael told ██████ to go outside and put her hands up. This was confusing to ██████ but she figured Michael would be right behind her and come outside as well. ██████ left the master bedroom and went outside using the door off of the kitchen. Michael never followed her and to her knowledge, he stayed in the master bedroom. The only other people in the house at the time besides herself and Michael were her sister ██████ and ██████ two children ██████ parents ██████ were in a cottage next to the main house.

Distribution

Additional Routing

Reporting Deputy (Print)

HOLLAND, BRIAN

Date / Time Written

5/17/2016 16:36:40

Disposition

Closed other

Approving Supervisor(Print)

ANDAYA, MARC

Supervisor No.

70779

Date

6/15/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

estimated the time of the first knock on the door to when she went outside to be only a couple of minutes. Once outside, was handcuffed and brought around to the front of the house. She stood by a patrol vehicle near the garage for a bit then was placed inside the vehicle. did not remember if she had any conversations with deputies. started having what she felt was a panic attack and asked to be un-handcuffed. was un-handcuffed and again stood outside the vehicle. was in this area for approximately 30 minutes before being taken across the street to the middle school. We asked if she remembered hearing anything while she was waiting near the garage. told us she did not remember what was being said or what the deputies were doing. (with kids), and her parents were at the middle school until it became light outside. They then went to the Delta station house before being released.

mentioned she received a text from Michael while they were waiting at the middle school and the deputy that was with her took her cell phone. The deputy read the message to but she did not get to see it. asked several times to speak to Michael and asked if Michael's brother could talk to him. believed either herself or could have talked Michael out. said she was unable to communicate with Michael during the incident.

I asked if she knew Michael to own a firearm. said she knew him to own a firearm because they own a jewelry store. Michael also used to be an arson inspector for Sacramento County and carried one on the job. believed the firearm he had from being an arson inspector was the only one he owned. believed Michael owned the gun approximately 11 years told us Michael kept the firearm in the nightstand on his side of the bed when he was at home. If he was at the jewelry store, he would have it on his hip. The ammunition was kept in the closet. also believed the magazines for the weapon were normally kept in the closet. Michael took the gun with him to the jewelry store every day he worked thought Michael only loaded the firearm when he got to the jewelry shop.

said she was afraid of guns and did not know how to use the gun Michael owned. did not know when the last time Michael bought ammunition.

Distribution

Additional Routing

Reporting Deputy (Print)

HOLLAND, BRIAN

Date / Time Written

5/17/2016 16:36:40

Disposition

Closed other

Approving Supervisor(Print)

ANDAYA, MARC

Supervisor No.

70779

Date

6/15/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

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P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

I asked [REDACTED] if she heard Michael ever make any threats of suicide or harming others with the firearm. [REDACTED] never heard any direct threats; however, she believed that was one way to interpret the way and manner in which he told her he would never go back to jail. I asked [REDACTED] if there was anything else going on in Michael's life that would cause him to do what he did. [REDACTED] told us the only thing happening were the "False" allegations against him. I asked [REDACTED] if Michael was seeing a doctor of any type and she said he was not. We asked [REDACTED] if there was any family history of mental illness. [REDACTED] told us Michael's brother [REDACTED] was a drug user and an alcoholic and she felt he had some mental problems.

INTERVIEW OF [REDACTED]

[REDACTED] is the mother of [REDACTED] and Michael was her son-in-law. [REDACTED] and her husband, [REDACTED] live in the cottage next to the main house and have been there about three and a half years. [REDACTED] confirmed the occupants of the main house were [REDACTED] two children. We asked [REDACTED] how Michael was after his arrest. [REDACTED] said she did not have any conversations with Michael about the arrest but did tell us he (Michael) was not himself for about two or three weeks after the arrest. [REDACTED] believed his behavior was a result of being in jail and the alleged accusations against him. [REDACTED] was aware of the child molestation charges against Michael.

[REDACTED] was aware of Michael owning a gun and carrying one for his work. [REDACTED] did not know where the gun was kept inside the house.

Distribution

Additional Routing

Reporting Deputy (Print)
HOLLAND, BRIANDate / Time Written
5/17/2016 16:36:40Disposition
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ANDAYA, MARCSupervisor No.
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6/15/2016



OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

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Beat: 32

DV: No

ARREST: No

We asked [REDACTED] to describe how she was alerted to the incident. [REDACTED] heard yelling so she sent a text message to [REDACTED] [REDACTED] never replied and a short time later, [REDACTED] opened the door and noticed the police outside. [REDACTED] and Thomas were awake when she first heard the yelling. When she opened the door, [REDACTED] heard a loud speaker saying, "Michael Mallet, come out." [REDACTED] also saw [REDACTED] kids coming out of the main house with their hands up in the air. [REDACTED] assumed the police were there to arrest Michael.

A deputy knocked on their door and told her they wanted to take them to safety. Her and [REDACTED] were put into a patrol vehicle and driven closer to Byron Highway on Hoffman Lane. [REDACTED] was able to hear on the police radio that attempts were being made to try and get Michael to come out of the house and Michael was refusing.

We asked [REDACTED] if she knew Michael to have any medical or psychological problems. [REDACTED] did not know of any but told us Michael was, "Very depressed" after his arrest and it took Michael a while to get out of that. [REDACTED] heard through [REDACTED] that Michael had made statements regarding not going back to jail.

INTERVIEW OF [REDACTED]

[REDACTED] interview was short due to his mental and physical limitations. We were told that [REDACTED] was at the beginning stages of Alzheimer's. [REDACTED] was also present during the interview.

Distribution		
Additional Routing		
Reporting Deputy (Print) HOLLAND, BRIAN	Date / Time Written 5/17/2016 16:36:40	Disposition Closed other
Approving Supervisor(Print) ANDAYA, MARC	Supervisor No. 70779	Date 6/15/2016



DR No: 160004105

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OFFICE OF THE SHERIFF, CONTRA COSTA COUNTY

CA0070000

P.O. BOX 391, Martinez, California 94553-0039

Beat: 32

DV: No

ARREST: No

██████████ remembered when Michael came home after being arrested, he (Michael) was not "Spontaneous" and was "Pulled back" or withdrawn. It took a while for Michael to act more normal. On the night of the incident, ██████████ was in his chair and falling asleep. ██████████ did not remember any sounds or how he got out of the house. ██████████ could not remember any details from last night.

We asked ██████████ about Michael's gun. ██████████ knew Michael had a gun and he ██████████ had one that was identical. ██████████ did not know where the gun was kept in the house or what condition it was kept in.

After completing the interviews, I responded to the scene where detectives and Crime Lab personnel were processing the house. I assisted with the search per the search warrant. Around 2200 hours, I released the scene back to ██████████

On 03-22-16, I returned ██████████ cell phone to her. Over the next couple of days, I returned several other electronic devices to ██████████ that were seized during the search warrant.

Distribution

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Reporting Deputy (Print)
HOLLAND, BRIANDate / Time Written
5/17/2016 16:36:40Disposition
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ANDAYA, MARCSupervisor No.
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